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Inspection Report

Provider Name: Brighter Beginnings Academy	Provider Information	CLR No: L383660
Provider Address: 338 Stanford Avenue, Danville, KY, 40422	Provider Type: LICENSED TYPE I	Capacity: 37 (Bldg 1: 43)
Owner(s): Brighter Beginnings Academy, LLC		Director(s): Blake, Marissa Crank

Inspection Type: Renewal Application	Inspection Information	Inspection No: 291825
Date Initiated: 11/25/2019 9:40 AM	Date Concluded: 11/25/2019 1:45 PM	
	No. of Children Present: 20	

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 April 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and been 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, to include the National Background Check Program, found that a staff's (DOH: 8/12/19) fingerprints were taken on 8/27/19; therefore, the staff person was not cleared for employment prior to being hired.</p>	
Supervision	In Compliance

125 - Ratios and Group Size

Not In Compliance

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

(2) For an operating child-care center, minimum staff-to-child ratios and group size shall be maintained as established in the table established in this subsection.

Age of Children Ratio Maximum Group Size*

- Infant**
- 1 staff for 5 children 10**
- Toddler 12 to 24 months**
- 1 staff for 6 children 12**
- Toddler 24 to 36 months**
- 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.**

(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 upon arrival to the childcare center, the surveyor found the following:

1. The surveyor observed that one (1) staff person was providing care for fourteen (14) children while on the playground. The age of the youngest child was one-year-old. Staff reported that another staff person may have taken a child inside the building to use the restroom; thus, the non-compliance with the staff-to-child ratio. Eight (8) children exceeded the staff-to-child ratio and group size.
2. The surveyor also found that while one (1) staff person was providing care for fourteen (14) children on the playground, another staff person brought an additional child outside to the playground. The age of the youngest child was one-year-old. At that time, three (3) children exceeded the group size.

255 - Notification of Changes

Not In Compliance

922 KAR 2:090. Section 12. Reports.

(4)(a) Written notification of the following shall be:

- 1. Made to the cabinet, in writing, to allow for approval before implementation:**
 - a. Change of ownership;**
 - b. Change of location;**
 - c. Increase in capacity;**
 - d. Change in hours of operation;**
 - e. Change of services in the following categories:**
 - (i) Infant;**
 - (ii) Toddler;**
 - (iii) Preschool-age;**
 - (iv) School-age;**
 - (v) Nontraditional hours; or**
 - (vi) Transportation; or**
 - f. Addition to or reduction of the square footage of a child-care center's premises;**

Findings:

General: Based on review of documentation, the surveyor compared the childcare center's diagram with the current layout of the premises. The surveyor found that the One-Year-Old Room and Two-Year-old Room are now located on the second floor adjoining the Infant Room. Staff reported relocating the classrooms (separated with shelves and gates) approximately two (2) months ago. The childcare center did not notify the cabinet of the change prior to implementation.

Inspection Report

Director Requirements

Not In Compliance

335 - Staff Management/Policy Development/Supervision

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (e) Manage the staff in their individual job descriptions;**
- (f) Assure the development, implementation, and monitoring of child-care center plans, policies, and procedures;**
- (g) Supervise staff conduct to ensure implementation of program policies and procedures;**

Findings:

General: Based on review of documentation, the surveyor found the childcare center created a policy that states that the director must complete eighteen (18) hours of cabinet-approved annual training. Additionally, the policy states that staff must complete fifteen (15) hours of training within year of hire and annually thereafter. The director did not ensure the implementation of the center's policy.

1. A staff (DOH: 6/30/17) completed only sixteen (16) hours of cabinet-approved early care and education annual training.
2. A staff (DOH: 6/30/17) completed only six (6) hours of cabinet-approved early care and education annual training.
2. A staff (DOH: 6/30/17) completed only eight (8) hours of cabinet-approved early care and education annual training.
3. A staff (DOH: 7/17/17) completed only thirteen (13) hours of cabinet-approved early care and education annual training.

350 - Health, Safety, Comfort

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (l) Assure the health, safety, and comfort of each child;**

Findings:

General: Based on observation during a tour of the childcare center, the surveyor found the following:

1. In the classroom for the two-year-old children, the surveyor found that a DVD player was stored on the top of a television stand. The cord attached to the DVD player was plugged into an electrical outlet. The DVD player was within reach of the children.
2. The surveyor found a small trampoline in the classroom for the two-year-old children. Staff confirmed that the children use the trampoline; thus, presenting a safety risk to the children.
3. The surveyor observed that three (3) of the children's coats were hanging on pegs and were touching; thus, creating the potential for cross contamination.

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, the surveyor found the following:

1. Review of documentation found no verification of education for a staff (DOH: 8/12/19). Through interview, the surveyor learned that the verification of education was not available for review.
2. Review of documentation found no verification of education for a staff (DOH: 11/21/18). Through interview, the surveyor learned that the verification of education was not available for review.
3. Review of documentation found no verification of education for a staff (DOH: 8/21/19). Through interview, the surveyor learned that the verification of education was not available for review.

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, the surveyor found the following:

1. Review of documentation for a staff (DOH: 11/21/18) found no copy of a negative tuberculin result or statement from a health professional that the individual is free from active tuberculosis. Through interview, the surveyor learned that the documentation was not available for review.
2. Review of documentation for a staff (DOH: 8/21/19) found no copy of a negative tuberculin result or statement from a health professional that the individual is free from active tuberculosis. Through interview, the surveyor learned that the documentation was not available for review.

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 and ECE-TRIS, the surveyor found the following:

1. A staff (DOH: 6/30/17) completed only eight and one-half (8 ½) hours of cabinet approved early care and education annual training.
2. A staff (DOH: 6/30/17) completed only six (6) hours of cabinet approved early care and education annual training.
3. A staff (DOH: 7/17/17) completed only thirteen (13) hours of cabinet approved early care and education annual training.
4. The surveyor found no verification that a staff (DOH: 8/21/19) has completed six (6) hours of cabinet-approved orientation training.

Programming

Not In Compliance

495 - Bedding/Toys in Crib

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:
3. No loose bedding, such as a bumper or a blanket; and
4. No toys or other items except the infant's pacifier;

Findings:

General: Based on observation during a tour of the Infant Room, the surveyor found the following:

1. An infant was sleeping in a crib while wearing a bib.
2. An infant was in a crib while sucking on a pacifier with a stuffed animal attachment. The stuffed animal also presents a potential risk of suffocation.
3. An infant was in a crib while sucking on a pacifier. The pacifier had an attachment that clipped to the child's clothing.

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 during a tour of the Infant Room, the surveyor observed a purse on the floor beside a rocking chair. Through interview, the surveyor found that the purse belonged to a staff person. The purse was accessible to the children.

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 during a tour of the classrooms located on the second floor, the surveyor found that staff use a diaper-changing table for the infant, one-year-old and two-year-old children's needs. The surveyor found no sink on the second floor. Through interview with staff, the surveyor learned that following diaper changes, staff wipe the children's hands with a wet wipe. The staff then use hand sanitizer to cleanse their hands. A sink is not adjacent to the diaper changing area used for the children.

655 - 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 his or her developmental skills;**
- (b) Except as established in paragraph (c) of this subsection, 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 touching an item or an area of the body soiled with body fluids or wastes; and**
 - 6. After outdoor or indoor play time; and**
- (c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on observation during a tour of the childcare center, the surveyor found that staff provide care for the infant, one-year-old and two-year-old children on the second floor. The surveyor observed a diaper-changing table but no sink. Through interview, staff confirmed that they use the changing table for the children's needs and cleanse their hands with only a wet wipe rather than liquid soap and warm running water. The staff stated that they do not take the children down stairs to wash their hands as soon as practicable.

660 - 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;**
- (c) Except as established in paragraph (d) of this subsection, 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;**
 - 9. After smoking or vaping; and**
 - 10. If possible, before administering first aid; and**
- (d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on observation, the surveyor found a diaper-changing table but no sink located on the second floor of the childcare center. Through interview, the surveyor learned that staff use the changing table for the infant, one-year-old and two-year-old children. The staff identified that they use hand sanitizer rather than liquid soap and warm running water to cleanse their hands after changing the children's diapers.

710 - Toy Sanitation Procedure

Not In Compliance

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

- (4) A toy or another item that is considered a mouth contact surface by a child not toilet trained shall be sanitized daily by:**
 - (a) 1. Scrubbing in warm, soapy water using a brush to reach into crevices;**
 - 2. Rinsing in clean water;**
 - 3. Submerging in a sanitizing solution for at least two (2) minutes; and**
 - 4. Air dried; or**
- (b) Cleaning in a dishwasher if the toy or other item is dishwasher safe.**

Findings:

General: Based on observation and interview, the surveyor learned that staff wipe the mouth contact toys with an antibacterial wipe each afternoon. The staff disclosed that one (1) time per week, they use a cloth and soapy water to wash the mouth contact toys, rinse and submerge the toys in a sanitizing solution for at least two (2) minutes and air-dry.

720 - Medication Administration

Not In Compliance

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

- (4) Prescription and nonprescription medication shall be administered to a child in care:**
 - (a) 1. With a written request of the child's parent or the child's prescribing health professional; and**
 - 2. According to the directions or instructions on the medication's label; or**
- (b) For epinephrine, in accordance with KRS 199.8951 and 311.646.**

Findings:

General: Based on review of documentation, the surveyor found that staff administered prescription medication to a child (DOE: 6/2/17) from 6/28/19 until 8/12/19. Review of the medication administration record found no written request from the child's parent or prescribing health professional to administer the medication. Interview with staff found that a written request from the child's parent or prescribing health professional was not available for review.

Inspection Report

730 - 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 unless the medication is:

- 1. A first aid supply and is maintained in accordance with subsection (1) of this section;
- 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;
- 3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including:
 - a. An epinephrine auto-injector shall be inaccessible to a child;
 - b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;
 - c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and
 - d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12(1)(b) if an epinephrine auto-injector is administered to a child; or
- 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;

(b) Kept in the original bottle; and

(c) Properly labeled.

(7) Medication shall not be given to a child if the medication's expiration date has passed.

Findings:

General: Based on observation, the surveyor found a tube of Hydrocortisone cream and a tube of antibiotic ointment in an unlocked first-aid kit. The medications were not stored in a separate and locked place.

Outdoor Play Area

Not In Compliance

750 - Playground Conditions

Not In Compliance

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

(20) An outdoor play area shall be:

- (d) Safe from foreseeable hazard;
- (e) Well drained;
- (f) Well maintained;
- (g) In good repair; and
- (h) Visible to staff at all times.

Findings:

General: Based on observation during a tour of the playground, the surveyor found the following:

- 1. Three (3) infant swings were secured to the slats of a wooden climb/slide stationary structure. The swings were over the wooden floor of the structure, presenting a safety risk to the children.
- 2. The base of a slide was eighteen to twenty (18-20) inches from a wooden privacy fence. The proximity of the slide to the fence presented a safety hazard to the children.

Equipment

Not In Compliance

830 - Children/Staff Seating

Not In Compliance

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

(5) Tables and chairs shall be of suitable size for children.

(6) Chairs appropriate for staff shall be provided to use when feeding, holding, or playing with a child.

Findings:

General: Based on observation during a tour of the School-age Room, the surveyor found only toddler-size chairs. Through interview with staff, the surveyor learned that the oldest child that attends the center is ten-years-old. Additionally, staff reported that suitable size chairs are not available for the school-age children's use.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

1040 - Kitchen Equipment Clean and Sanitary

Not In Compliance

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

(7) The following shall be clean and sanitary:

- (a) Eating and drinking utensils;
- (b) Kitchenware;
- (c) Food contact surfaces of equipment;
- (d) Food storage utensils;
- (e) Food storage containers;
- (f) Cooking surfaces of equipment; and
- (g) Nonfood contact surfaces of equipment.

Findings:

General: Based on observation during a tour of the kitchen, the surveyor found that the interior top, sides and bottom of the oven had dark stains and baked-on food particles.

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 review of documentation, the surveyor found the following:

1. The surveyor found that a child's (DOE: 2/12/19) immunization was no longer current as of 9/28/19.
2. The surveyor found that a child's (DOE: 8/17/19) immunization was no longer current as of 11/24/19.
3. The surveyor found that a child's (DOE: 10/4/19) immunization record had no expiration date; therefore, the child's immunization status could not be determined.

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 contained in ten (10) of the children's enrollment files, the surveyor found the following:

1. Four (4) files did not contain information to enable a person in charge to contact the family physician or preferred hospital.
2. Two (2) files did not contain information to enable a person in charge to identify or contact the family physician or preferred hospital.
3. Two (2) files did not contain information to enable a person in charge to contact the preferred hospital.
4. One (1) file did not contain information to enable a person in charge to identify or contact the preferred hospital.
5. A child's (DOE: 6/2/17) did not contain the name of each person designated in writing to pick-up the child.
6. Two (2) children's (DOE: 6/2/17 and 8/15/19) did not contain the name and phone number of each person to be contacted in an emergency involving or impacting the child.
7. One (1) child's (DOE: 8/15/19) file did not contain the child's general health status, allergies and medical history.

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 review of documentation, the surveyor found the following:

1. The Emergency Evacuation Plan presented to the surveyor during the renewal survey was dated 2017. Staff reported that an updated copy was not available for review.
2. The surveyor found no written directions to the childcare center's off site relocation area.

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 review of documentation, the surveyor found the following:

1. The surveyor found no verification that staff conducted earthquake and tornado drills during the third quarter of 2019. Staff reported that they practiced the drills but did not document them.

2. The surveyor found no verification that staff conducted fire drills for August, September or October 2019. Staff reported that they practiced the drills but did not document them.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date