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Inspection Report

Provider Name: Wee Care	Provider Information	License No: L356474
Provider Address: 248 Biggs Lane, South Shore, KY, 41175	Provider Type: LICENSED TYPE I	Capacity: 80
Owner(s): Sipple, Sherri & Sipple, William T		Director(s): Sipple, Sherri

Inspection Type: Investigation	Inspection Information	Inspection No: 191461
Visit Start Date: 07/10/2015 10:10 AM	Visit End Date: 07/10/2015 1:45 PM	
No. of Children Present: 17		

Inspection Report

Supervision

5 - Children Supervised	In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services. (3)(a) Each center shall maintain a child-care program that assures each child will be: 1. Provided with adequate supervision at all times by a qualified staff person who: a. Ensures the child is within scope of vision and range of voice; or b. For a school-age child, within scope of vision or range of voice;</p>	

Staffing Requirements

40 - Ratios and Group Size	In Compliance
<p>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.</p>	



Inspection Report

General Administration

100 - Plan of Correction/10 days

Not In Compliance

922 KAR 2:090. Section 9. 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 ten (10) calendar days of receipt of the statement of deficiency to eliminate or correct the regulatory violation.

Findings:

A PLAN OF CORRECTION WAS DUE ON 30 Aug 15 AND AS OF 10 Sep 15, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

190 - Abuse/Neglect Report Procedure

Not In Compliance

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

(3)(b) The program shall include:

1. A procedure to inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030;

Findings:

General: Based on Review of Documentation, it was found that the facility procedure for informing the facility staff of the laws for reporting suspected abuse and/or neglect were in contradiction with what is required by KRS 620.030. KRS 620.030 requires that a report of suspected abuse or neglect be reported to the local police or the Department for Community Based Services and allows the report to be anonymous. A review of the facility policy signed by staff members when they are hired found the following, "Employees who suspect neglect should discuss these issues with the center director" and "Employees who strongly disagree with the director's decision not to report a case concerning abuse, may choose to report the alleged abuse or neglect themselves".

Director Requirements

250 - Staff Management/Policy Development/Supervision

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:

(e) Manage the staff in their individual job descriptions;

(f) Develop child-care center plans, policies, and procedures;

(g) Supervise staff conduct to ensure implementation of program policies and procedures;

Findings:

Based on a review of documentation and interviews conducted during the investigation, the director failed to develop child-care center plans, policies, and procedures for handling emergency situations and/or what to do when a child gets injured. Interviews conducted with staff present at the time of the 7/7/15 incident and the manager that returned to the facility to handle the situation determined that staff were not properly trained on how to deal with an injury to a child. A review of the facility policies and procedures revealed that there were no guidelines for staff on how to handle emergency situations and/or injuries to a child. The only policy/procedure that the facility had was a sign posted in the front lobby that stated, "Always dial 911 for fire or medical emergency". The sign included a list of emergency phone numbers. The staff person that was present with the child at the time of the incident stated during interview, "I picked him up and ran to the doorway to get my mom and she took him from me to treat his finger". The staff person identified as the person that administered medical treatment stated during interview, "I remember saying to the staff person in charge that we needed to call a squad, but she told me she didn't know what to do and stated that she needed to call the manager first". The staff person identified as the staff person in charge at the time of the incident stated during interview, "I called the manager to inform her he was hurt. I just told her that he was bleeding and told her she needed to come back". This staff person further stated, "I didn't see how bad it was cut when I called the manager". The manager stated during interview that the staff person in charge called her and said, "You have to come back. His finger was smashed in the door and it's bleeding really bad". The manager described her actions by stating, "I went into the cafeteria/classroom area to check on him and then I sent the staff person in charge to go pick up my kids from school so I could stay at the facility. I went into the centers room to talk to the staff person that witnessed the incident and then I called the child's mom to inform her of the incident. The mother told me that she would call 911 and call the dad".

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 Review of Documentation and interview, the facility director failed to provide for the health, safety and comfort of a child. On 7/7/15 a two (2) year old child got his finger smashed in a bathroom door which caused the tip of his finger to come almost completely off; however, facility staff did not contact emergency medical services and did not administer adequate first aid treatment for the injury. Staff stated during interview that the staff person working in the learning centers room with the child at the time of the incident carried the child to the door leading into the front entry and yelled for her mother, who is also employed at the facility, to assist. This staff person took the child from the staff person working in the learning centers classroom, carried him into the children's eating area/classroom area, and began medical treatment by holding the child's arm upwards and applying pressure with a non-sterile cloth rag in an attempt to stop the bleeding. The staff person stated in her written statement, "Another staff person helped with the situation by providing cloths for his finger. She put peroxide on the first one and from there we just kept changing them out, holding pressure and keeping it elevated until the father arrived". The owner/director and the facility manager were not present at the facility when the incident occurred. A staff person present at the facility contacted the facility manager on her cell phone and told her to return to the facility immediately due to the emergency situation. The manager stated that she had just left the facility to pick up her children from school when she received the phone call and indicated that it took her three (3) minutes to return to the facility. The manager stated that she examined the child's injury when she arrived at the facility and immediately made a phone call to the child's mother. The child's mother told the manager that she would call 911. The child was transported via ambulance for emergency medical treatment and diagnosed with a "finger fracture - Unspecified, open and a finger laceration". The staff person that administered first aid treatment to the child is currently certified in pediatric first aid through American Red Cross; however, techniques for administering first aid treatment to this type of injury were not applied. A review of the instructions listed on the American Red Cross website state to "cover the wound with a sterile dressing, apply direct pressure and cover dressing with a roller bandage". Further instructions state to "apply additional dressings and bandage" if the bleeding does not stop. Additional information listed on the website states to "call 911 or local emergency number for wounds that show muscle or bone, involve joints, are deep or involve hands or feet" and when "skin or body parts that have been partially or completely torn away".

270 - Parent Notification

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:

(m) Notify the parent immediately of an accident or incident requiring medical treatment of a child;

Findings:

Based on record review and interview, the facility failed to meet this regulatory requirement. Although the facility immediately notified the parent of a two (2) year old child of an injury that occurred at the facility, an interview with staff during an investigation revealed that false information was given to the father when he arrived to pick up his child. The staff person that was holding the child when the father arrived identified herself as the staff person supervising the child at the time of the incident; however, this information was not true. The staff person's nineteen (19) year old daughter was identified during the investigation as the staff person supervising the child at the time of the incident and this staff person is the one that signed the facility incident report.

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 and interview, this regulatory requirement was not met. One (1) staff file contained the results of a criminal record check (CRC) and a child abuse/neglect check (CAN) from a previous hire date; however, new checks were not conducted when the staff person was rehired (rehire date: "early June 2015"). The staff person in charge indicated that the staff person's original hire date was 10/1/10, the staff person quit working at the facility "end of July 2014" and then the staff person was re-hired "early June 2015". A review of the CRC revealed that it was processed 1/28/11 and a review of the CAN check revealed that it was processed 10/15/10. The staff person in charge stated that this staff person works alone with rotating groups of children the two (2) days a week that she is scheduled to work (Tuesday and Thursday).

Employee Records

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, this regulatory requirement was not met. One (1) staff file contained the results of a criminal record check (CRC) and a child abuse/neglect check (CAN) from a previous hire date; however, new checks were not conducted when the staff person was rehired (rehire date: "early June 2015"). The staff person in charge indicated that the staff person's original hire date was 10/1/10, the staff person quit working at the facility "end of July 2014" and then the staff person was re-hired "early June 2015". A review of the CRC revealed that it was processed 1/28/11 and a review of the CAN check revealed that it was processed 10/15/10. The staff person in charge stated that this staff person works alone with rotating groups of children the two (2) days a week that she is scheduled to work (Tuesday and Thursday).

310 - Personnel File

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(e) A current personnel file for each child-care center staff person to include:

- 1. Name, address, date of birth, and date of employment;**
- 2. Proof of educational qualifications;**
- 3. Record of annual performance evaluation;**
- 4. Written record of training participation to include:

 - a. The training source;**
 - b. Location;**
 - c. Date; and**
 - d. Number of clock hours completed;****
- 5. Every two (2) years, a:

 - a. Statement from a health professional that the individual is free of active tuberculosis; or**
 - b. Copy of negative tuberculin results; and****
- 6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:

 - a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
 - b. Criminal records check required by KRS 199.896(19);**
 - c. Criminal records check from any previous state of residence completed once if:

 - (i) The individual resided outside the state of Kentucky in the last five (5) years; and**
 - (ii) No criminal records check has been completed for the individual's previous state of residence; and****
 - d. An address check of the Sex Offender Registry;****

Findings:

General: Based on Review of Documentation and interview, one (1) staff person did not have the correct hire date documented in her file. The surveyor reviewed the staff file during the visit and found 10/1/10 listed as the staff person's hire date. However, an interview with the staff person in charge revealed that this date is not correct. The staff person in charge indicated that the staff person's original hire date was 10/1/10, the staff person quit working at the facility "end of July 2014" and then the staff person was re-hired "early June 2015". The staff person in charge was not able to identify the exact date.

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, one (1) staff file (hire date: "early June 2015") contained results of a negative T.B. test that is no longer current. The test was dated 4/10/13 which exceeds the two (2) year time frame.

Programming

420 - Infant Sleep Position

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(1) An infant shall sleep or nap on the infant's back unless the infant's health professional signs a waiver that states the infant requires an alternate sleeping position.

Findings:

General: Based on Observation and interview, this regulatory requirement was not met. The surveyor toured the infant classroom with the staff person in charge at 11:25AM and observed that a folded quilt was being used to support a four (4) month old child asleep in her crib and and five (5) month old child was observed asleep in a swing. The surveyor observed these two (2) children remain in these positions until 12:00PM. The staff person in charge identified the staff person working in the infant classroom as the mother of the four (4) month old child and stated they did not have a note from the doctor stating that the child needed to be elevated while sleeping. The staff person in charge stated that the five (5) month old child has reflux and needs to sleep elevated; however, did not have documentation stating that the child required an alternate sleeping position.

435 - 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; and**
- 4. No toys or other items except the infant's pacifier;**

Findings:

General: Based on Observation, this regulatory requirement was not met. The surveyor toured the infant classroom with the staff person in charge at 11:25AM and observed the following: 1. A folded quilt was being used to support a four (4) month old child asleep in her crib and the child had a fluffy blanket positioned on top of her. 2. A five (5) month old child was observed asleep in a swing with a fluffy blanket on top of him. The blanket was positioned close to the child's face. The surveyor observed these two (2) children remain in these positions until 12:00PM. The staff person in charge identified the staff person working in the infant classroom as the mother of the four (4) month old child.

Inspection Report

Premises

590 - Toilet

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

- (4) Each toilet shall:**
- (a) Be kept in clean condition;**
 - (b) Be kept in good repair;**
 - (c) Be in a lighted room; and**
 - (d) Have ventilation to outside air.**

Findings:

General: Based on Observation and interview the facility failed to meet this regulatory requirement. An interview with staff during the investigation revealed that the toilet in the children's bathroom located in the eating area/classroom area does not work properly. Although the toilet appeared to be working during the visit, staff stated that they have not allowed children to use this bathroom for three (3) - four (4) weeks because it has not been flushing properly. Staff stated that water backed up in the toilet a few times and overflowed.

Written Documentation

1090 - Policies and Procedures

Not In Compliance

922 KAR 2:110. Section 2. General.

- (5) Program policies and procedures shall:**
- (a) Be in writing; and**
 - (b) Include:**
 - 1. Staff policies;**
 - 2. Job descriptions;**
 - 3. An organization chart;**
 - 4. Chain of command; and**
 - 5. Other procedures necessary to ensure implementation of:**
 - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;**
 - b. 922 KAR 2:090, Child-care center licensure;**
 - c. 922 KAR 2:120, Child-care center health and safety standards; and**
 - d. This administrative regulation.**

Findings:

General: Based on Review of Documentation and interview, the following was found: 1. A review of records found that the facility did not have evidence of a job description for the facility manager. The manager presented the surveyor with the job description that she signed when she was hired (hire date: 10/27/09) and stated that she did not have a specific job description listing her duties as the manager. The staff person stated that she was originally hired as a teacher and then switched to a manager position approximately four (4) or five (5) years ago. 2. A review of the facility's policies/procedures and an interview with the facility manager found that there was no written policy on how medical emergencies should be handled. It is important to note that on 7/7/15 a two (2) year old child got his finger smashed in a bathroom door which caused the tip of his finger to come almost completely off; however, facility staff did not contact emergency services. The owner/director and the facility manager were not present at the facility when the incident occurred. A staff person present at the facility contacted the facility manager on her cell phone and told her to return to the facility immediately due to the emergency situation. The manager stated that she had just left the facility to pick up her children from school when she received the phone call and indicated that it took her three (3) minutes to return to the facility. The manager stated that she examined the child's injury when she arrived at the facility and immediately made a phone call to the child's mother. The child's mother told the manager that she would call 911. The child was transported via ambulance for emergency medical treatment and diagnosed with a "finger fracture - Unspecified, open and a finger laceration". The only policy/procedure at the facility that addressed emergency situations was a sign posted in the front entry. The sign stated, "Emergency Phone Numbers. Always dial 911 for Fire or Medical Emergency" and the Portsmouth, Ohio ambulance phone number was listed.

1135 - Orientation Procedure

In Compliance

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

- (3)(b) The program shall include:**
- 2. Written policy that specifies that the procedures that were taught at the orientation training shall be implemented by each child-care center staff member.**

Signature of
Provider/Representative

Title

Date

