



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Western Branch
901 B South Main Street
Hopkinsville, KY 42240

Adam Mather
INSPECTOR GENERAL

Phone: (270) 889-6052 Fax: (270) 889-6089
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: Tammy Embry's Play School #2	Provider Information	CLR No: L356519
Provider Address: 1316 Asbury Street, Leitchfield, KY, 42754	Provider Type: LICENSED TYPE I	Capacity: 31
Owner(s): Tammy Embry's Play School, Inc.		Director(s): Embry, Tammy Ann

Inspection Type: Renewal Application	Inspection Information	Inspection No: 304591
Date Initiated: 09/28/2020 1:50 PM	Date Concluded: 09/28/2020 4:30 PM	
	No. of Children Present: 21	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
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 center had one (1) documented staff meeting on file.	
345 - Staff Evaluation	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) 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 observation, two (2) caregivers hired on 8/1/00 and 8/1/14, had an annual written performance evaluation on file that was dated 6/24/19. A caregiver hired on 6/28/19, did not have an annual written performance evaluation on file.	
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 1/3/2020 and 6/28/19, did not have education verification on file.	

Inspection Report

**Programming
Premises**

**In Compliance
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 caregiver's cell phone was on a table near a window and was accessible to children in the school age classroom.

Hygienic Practices

Not In Compliance

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, seventeen (17) children did not wash their hands with liquid soap and warm running water after eating snack in the school age classroom.

First Aid/Medication

Not In Compliance

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, a bottle of Children's Tylenol Pain and Fever was not labeled to indicate to whom it belonged to in an unlocked medicine box, which was accessible to children, in the school age room. A tube of Colgate Total Toothpaste was not labeled to indicate to whom it belonged to in a medicine box, which was accessible to children, in the school age room.

Outdoor Play Area

Not In Compliance

745 - Playground Clean

Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.
(20) An outdoor play area shall be:
(c) Free from:
1. Litter;
2. Glass;
3. Rubbish; and
4. Flammable materials;

Findings:

General: Based on observation, a plastic cup, a paper cup, a popsicle wrapper, and candy wrappers were scattered across the ground in the outdoor play area.

Inspection Report

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, sparse mulch was underneath a tire swing in the outdoor play area.

Equipment

Not In Compliance

770 - Play Equipment

Not In Compliance

- 922 KAR 2:120. Section 4. Premises Requirements.**
(24) Supports for climbing apparatus and large equipment shall be securely fastened to the ground.
(25) Crawl spaces, such as tunnels, shall be short and wide enough to permit access by adults.
(26) A sandbox shall be:
(a) Constructed to allow for drainage;
(b) Covered when not in use;
(c) Kept clean; and
(d) Checked for vermin prior to use.

Findings:

General: Based on observation, a four feet tall red, metal arch climber was not secured to the ground in the outdoor play area.

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, black stained marks were on the surface of three (3) adult size lawn chairs in the outdoor play area.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

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, a date was not on the posted menu in the center.

Inspection Report

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, a child enrolled on 10/18/17, did not have information on file for staff to contact the child's preferred hospital.

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, two (2) caregivers hired on 1/3/2020 and 6/28/19, did not have an annual professional development plan on file. Two (2) caregivers hired on 8/1/00 and 11/1/90, each had an annual professional development plan on file that was dated 6/24/19.

Posted Documentation

In Compliance

Animals

Not Applicable

Emergency Regulation

Not In Compliance

1255 - Emergency Regulation

Not In Compliance

922 KAR 2:405E. Emergency Regulation.

Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:405E, to prevent the spread of COVID-19.

Findings:

General: Based on observation and review of documentation, the center failed to assure:

- 1.) Children and staff shall wash meet the handwashing requirements established in 922 KAR 2:120 and wash their hands with liquid soap and warm running water or utilize hand sanitizer or hand-sanitizing wipes prior to center or home departure, in accordance with 922KAR2:405E Section 6 (6). Two (2) children did not wash their hands upon arrival to the center at 2:54 p.m. Two (2) children did not wash their hands upon arrival to the center at 2:57 p.m. Six (6) school age children did not wash their hands or utilize hand sanitizer prior to home departure.
- 2.) School-age children may wear a face mask if temperament and developmental ability permits, in accordance with 922 KAR 2:405E Section 8 (4). Upon the surveyor's entrance at 1:50 p.m., ten (10) school age children did not wear a face mask in the school age room. Two (2) school age children arrived at the center at 2:54 p.m. and removed their face mask. Two (2) school age children arrived at the center at 2:57 p.m. and removed their face mask. A school age child arrived at the center and removed their mask at 3:28 p.m. A school age child arrived at the center and removed their mask at 3:40 p.m.
- 3.) The maximum group size shall be fifteen (15) children per group for children age twenty-four (24) months and older, in accordance with 922 KAR 2:405E Section 4 (1). The group size ranged from sixteen (16) school age children to twenty-one (21) school age children during the surveyor's visit.
- 4.) Machine washable toys shall not be used, in accordance with 922 KAR 2:405E Section 6 (3). Several stuffed animals/toys were present in the school age room.

Signature of Provider/Representative

Title

Date