



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: Hopkinsville Child Development Center	Provider Information Provider Type: LICENSED TYPE I	CLR No: L358935
Provider Address: 686 North Drive, Brickyard Plaza, Hopkinsville, KY, 42240		Capacity: 129
Owner(s): Aviles, Daisy		Director(s): Aviles, Daisy

Inspection Type: Renewal Application	Inspection Information	Inspection No: 218230
Date Initiated: 01/27/2017 9:00 AM	Date Concluded: 01/27/2017 2:10 PM	
	No. of Children Present: 34	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
100 - Plan of Correction/10 days	Not In Compliance
<p>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.</p> <p>Findings: A PLAN OF CORRECTION WAS DUE ON 21 Mar 17 AND AS OF 23 Mar 17, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.</p>	
Director Requirements	Not In Compliance
250 - Staff Management/Policy Development/Supervision	Not In Compliance
<p>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;</p> <p>Findings: General: Based on observation and a review of documentation, a seven (7) month old infant wore a bib as they slept in their crib with a yellow and blue blanket across his/her face and a cloth diaper underneath his/her head for approximately five (5) minutes in the younger infant/toddler room. The yellow and blue blanket was not tucked in on three (3) sides of the mattress. The center had a SIDS/Safe Sleep Policy which stated the following: If a blanket must be used, the infant will be placed with his/her feet touching the bottom of the crib, the blanket will be tucked in at the bottom and on each side, and the blanket will go no higher than the infant's chest; the infant's head shall remain uncovered during sleep; and no additional items such as pillows, blankets, or toys will be allowed in the infant's crib. Therefore, the director failed to ensure staff implemented the center's SIDS/Safe Sleep Policy.</p>	
255 - Staff Meeting	Not In Compliance
<p>922 KAR 2:110. Section 4. Director Requirements and Responsibilities. (1) Effective with the adoption of this administrative regulation, a director shall: (i) Conduct, manage, and document in writing staff meetings;</p> <p>Findings: General: Based on interview, there was no documentation of staff meetings available for review.</p>	

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 a Review of Documentation, a caregiver hired 5/4/09, did not have a written annual performance evaluation on file.

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 Observation, a caregiver hired on 9/19/16, supervised ten (10), three (3) year old children alone. Also, two (2) caregivers hired on 1/9/17 and 8/15/16, cared for six (6) children in the younger infant/toddler room. A review of documentation determined the caregiver hired 9/19/16 did not have a completed criminal records check on file. The caregiver hired 1/9/17, did not have documentation of a submitted child abuse and neglect check and a criminal records check on file. The caregiver hired on 8/15/16, had no documentation of a criminal records check from Kentucky and background check from Puerto Rico.

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, a caregiver hired on 9/19/16, did not have a criminal records check on file and supervised ten (10) children, alone, in the three (3) year olds room. This caregiver surpassed the ninety (90) days probationary period. A caregiver hired on 1/9/17, had no documentation of a submitted child abuse and neglect check and a submitted criminal records check. A caregiver hired 8/15/16, had no documentation of a completed criminal records check from Kentucky and a background check from Puerto Rico on file. During interview it was determined this caregiver had lived in Kentucky for seven (7) months. This caregiver surpassed the ninety (90) days probationary period. A substitute hired 11/28/16, had no documentation of a completed criminal records check on file. A caregiver hired on 8/9/16, had no documentation of a processed child abuse and neglect check, a completed criminal records check, and a background check from New Mexico on file. During interview it was determined this caregiver had lived in Kentucky for four (4) years. This caregiver surpassed the ninety (90) days probationary period.

315 - Educational Requirements

Not In Compliance

922 KAR 2:110. Section 5. 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 a Review of Documentation, a caregiver hired 8/9/16, did not have a high school diploma, GED or qualifying documentation available for review.

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 a Review of Documentation, a caregiver hired 5/4/09, did not have current TB documentation on file. A substitute hired 12/8/16, had no documentation of a TB skin test available for review.

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 record review, a substitute hired 12/8/16 had no TB documentation on file. Also, a substitute hired on 11/28/16, did not have documentation of a criminal records check on file. Therefore, the center did not have two (2) qualified substitutes.

340 - Training

Not In Compliance

922 KAR 2:110. Section 5. Staff Requirements.

(14) 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 1/2) hours of 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 1/2) hours of pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on a Review of Documentation, a caregiver, hired 8/10/09, completed nine (9) hours of training during her subsequent year of employment. In addition, a caregiver, hired 8/15/16, failed to complete six (6) hours of orientation training within the first three (3) months of employment.

Programming

Not In Compliance

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, a seven (7) month old infant was asleep in a crib. The infant wore a bib, had a yellow and blue blanket across his/her face, and a cloth diaper underneath his/her head.

Premises

Not In Compliance

460 - Inaccessible Items

Not In Compliance

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

(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;
- (b) Knives and sharp objects;
- (c) Matches, cigarettes, lighters, and flammable liquids;
- (d) Plastic bags;
- (e) Litter and rubbish;
- (f) Bar soap; and
- (g) Personal belongings and medications of staff.

Findings:

General: Based on Observation, the following items were on a table and accessible to children in the girls' restroom: a can of Puricit Odor Eliminator, Secret Clinical Strength Deodorant, two (2) tubes of lotion, one (1) bottle of body spray, a bottle of Ion Leave On Condition, a plastic container of Ampro Styling Gel, and a Walgreens Multipurpose Solution No Rub. Interview with director determined the items belonged to a staff member.

520 - 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, three (3) ceiling tiles were stained in the indoor gross motor room.

Inspection Report

Hygienic Practices

Not In Compliance

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 hired on 8/15/16, changed an infant's diaper in the restroom adjacent to the younger infant/toddler room. Although the caregiver wore gloves during the diaper change, she failed to wash her hands with liquid soap and water after removing her gloves

First Aid/Medication

Not In Compliance

670 - 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;**
 - (b) Kept in the original bottle; and**
 - (c) Properly labeled.**
- (7) Medication shall not be given to a child if the expiration date on the bottle has passed.**

Findings:

General: Based on Observation, a tube of Comforts Diaper Rash Ointment was not labeled with the name of the owner. The ointment was stored in a storage cubby, above a diaper changing table, in the restroom adjacent to the younger infant/toddler room.

Outdoor Play Area

In Compliance

Equipment

Not In Compliance

730 - Crib/Mattress/Sheet

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:

- 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;**
- 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:**
 - a. Weekly; or**
 - b. Immediately if it is soiled or wet;**

Findings:

General: Based on Observation, three (3) loose fitted sheets, each on mattresses in the younger infant/toddler room. Also, a two (2) inch long yellow stain was on a fitted sheet in a crib in the younger infant/toddlers room.

Transportation

In Compliance

Food Service

Not In Compliance

925 - 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 posted a Food Service Permit from a caterer which showed an expiration date which appeared to be altered to indicate expiration was 12/31/17. Interview with a representative from the caterer determined a 2017 Food Service Permit was not given to the center and per the representative, the last meal prepared for the center was on 4/29/16. Interview with a volunteer, start date 5/5/09, determined he prepared the meal and brought it to the center on 1/27/17. The director stated lunch was only prepared by the volunteer on 1/27/17 and other lunch meals were prepared by the caterer.

Inspection Report

970 - Food From Approved Source

Not In Compliance

922 KAR 2:120. Section 9. Food and Meal Requirements.

(1) Food shall be:

- (e) Obtained from a source that is in compliance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217;
- (f) Acceptable if from an established commercial food store;

Findings:

General: Based on Observation, and interview, the center's lunch was prepared and brought to the center by a volunteer, start date 5/5/09. Interview with the director determined lunch was prepared by the volunteer for 1/27/17 only, and other times lunch was prepared by the caterer. However, a representative from the caterer stated the last lunch provided by them was on 4/29/16.

Children's Records

Not In Compliance

1075 - Enrollment Information

Not In Compliance

922 KAR 2:110. Section 3. 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 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 situation 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 a Review of Documentation, two (2) children enrolled on 1/19/17 and 10/3/16, did not have a preferred hospital listed in the enrollment information. A child enrolled 2/18/16, did not have a preferred hospital listed, the name of a physician and contact information, and did not have emergency authorization from a parent for medical care. Also, a child enrolled on 9/19/16, did not have a preferred hospital listed, the name of a physician and the physician's contact information.

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 Interview, the center's evacuation plan was mailed to an emergency management official located in Hopkins County and not the county the center was located in.

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 a Review of Documentation, eight (8) parents' signatures were missing from daily attendance records dated 10/3/16 - 10/7/16. Also, four (4) parents' signatures were missing from daily attendance records dated 10/10/16 - 10/14/16. These families received services from the child-care center through the Child Care Assistance Program.

1105 - Professional Development

Not In Compliance

922 KAR 2:110. Section 3. 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 5/4/09, had a professional development plan on file dated 1/28/15. A caregiver hired on 6/5/09, did not have a professional development plan on file.

Inspection Report

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, there was no written record of practiced earthquake and tornado drills, which detailed the date, time, and participants, that was conducted during the third and fourth quarters of 2016.

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, there was no written record of practiced fire drills, which detailed the date, time, and participants, conducted between September 2016 and November 2016.

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, there was no documentation of a practiced fire drill conducted September - November 2016.

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, there was no documentation of practiced earthquake and tornado drills conducted during the third and fourth quarters of 2016.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date