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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: 292342
Date Initiated: 01/13/2020 9:30 AM	Date Concluded: 01/13/2020 2:25 PM	
	No. of Children Present: 49	

Inspection Report

Background Checks

Not In Compliance

5 - Background check/left alone/dismissed/relocated

Not In Compliance

922 KAR 2:280. Section 3. Implementation and Enforcement.

- (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.
- (2) A child care staff member hired on or after April 1, 2018, shall:
 - (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
 - (b) 1. Have submitted to the background checks required in accordance with this administrative regulation;
 - 2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and
 - 3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.

Findings:

General: Based on review of documentation and interview, four (4) staff, hired 12/24/2019, 06/10/2019, 08/21/2019 and 09/27/2019 had not submitted for the background checks through the National Background Check Program (NBCP).

20 - Out of state background checks

Not In Compliance

922 KAR 2:280. Section 5. Checks of Other States.

- (1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall:
 - (a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet:
 - 1. An in-state criminal records check by:
 - a. Means of fingerprints for the state of residence; or
 - b. Any means accepted by a state of prior residency;
 - 2. A check of the state's sex offender registry or repository; and
 - 3. A check of the state-based child abuse and neglect registry and database; and
 - (b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601.

Findings:

General: Based on review of documentation and interview, a staff member, hired 12/24/19, did not submit an out-of-state criminal records check (CRC) or a child abuse/neglect (CA/N) check to Mexico, a previous state of residence. A staff member, hired 08/12/19, did not submit an out-of-state criminal records check (CRC) or a child abuse/neglect (CA/N) check to Texas, Florida or Puerto Rico, previous states of residence 2016 through 2018.

Inspection Report

Supervision

In Compliance

Staffing Requirements

In Compliance

General Administration

Not In Compliance

180 - Plan of Correction/15 days

Not In Compliance

922 KAR 2:090. Section 14. 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 fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation.

Findings:

A PLAN OF CORRECTION WAS DUE ON 02/13/2020 AND AS OF 02/21/2020, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

Director Requirements

Not In Compliance

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 review of documentation and interview, four (4) staff members hired 08/15/16, 06/05/09, 06/05/17, and 05/30/17 did not have an annual written performance evaluation on file.

360 - Caregiver Alone

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.
(1) 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 922 KAR 2:280;

Findings:

General: Based on review of documentation and interview one (1) staff member hired 12/24/2019, had not initiated the process for the National Background Check Program (NBCP). Observation on 01/13/2020 determined a staff, hired 12/24/2019, supervised a one-year-old child, alone, in the diaper changing room, located between the one-year-old room and two-year-old room. The staff member supervised the child, alone, in the diaper changing room for approximately five (5) minutes.

Employee Records

Not In Compliance

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 and interview, one (1) staff hired 05/17/17 had TB skin test documentation, on file, that was dated 06/05/17. One (1) staff hired 08/10/09, had TB skin test documentation, on file, that was dated 02/08/17. In addition, three (3) staffs, hired 10/21/19, 11/04/09, and 12/24/19, did not have their TB documentation on file.

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 interview, four (4) staff members hired 08/21/19, 09/27/19, 07/08/19, and 04/26/19 had no proof they completed six (6) hours of orientation training within the first three (3) months of their employment. In addition, one (1) staff member hired on 06/05/09, had not completed the fifteen (15) hours of cabinet-approved early care and education training during their subsequent year of employment.

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 and interview, a staff's personal cellphone was placed on top of the children's cubbie storage unit, accessible to the children, in the four-to-five-year-old's classroom.

Hygienic Practices

Not In Compliance

695 - Diapering Practice

Not In Compliance

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

- (12) Staff shall disinfect the diapering surface after each child is diapered.**
- (13) If staff wears disposable gloves, the gloves shall be changed and disposed after each child is diapered.**

Findings:

General: Based on observation and interview, a staff member hired 12/24/2019, did not disinfect the diapering surface after she changed a child's diaper in the one-year-olds' diaper changing room.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

Not In Compliance

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 and interview, one (1) child enrolled 09/27/19, had an immunization certificate valid until 11/01/19. One (1) child enrolled 12/16/2018, had an immunization certificate valid until 03/19/19.

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 and interview, a child enrolled 12/16/2018, enrollment form did not contain contact information to enable the person in charge to contact the child's physician.

Inspection Report

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 and interview, the center's written course of action plan for evacuation did not include an evacuation route diagram to the designated relocation site in accordance with KRS 199.895.

1160 - Daily Attendance Records

Not In Compliance

922 KAR 2:090. Section 9. 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 observation, review of documentation and interview, fifty-six (56) children were present on 01/13/2020 but forty-nine (49) children had a documented arrival time. In addition, three (3) parents had signed the DCC-94 attendance record on 01/13/2020, for the week ending 01/17/2020.

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 and interview, five (5) staff members hired 08/15/16, 06/05/09, 06/05/17, 08/10/09 and 05/30/17, did not have a written professional development plan on file 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 review of documentation and interview, each statement of deficiency and the plan of correction submitted by the child-care center to the cabinet during the current licensure year were not posted. In addition, the current rates for child care was not posted. The center's license was not posted and made available for public inspection.

1215 - Daily Activities

Not In Compliance

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

(1) A director shall:

(h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on observation, review of documentation and interview, a written daily schedule was not developed and posted in the toddlers' room and the PreK-three room.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date