



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

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: St. Pius Tenth Day Care	Provider Information	CLR No: L350125
Provider Address: 3418 Hwy 144, Owensboro, KY, 42303	Provider Type: LICENSED TYPE I	Capacity: 99
Owner(s): St. Pius Tenth Parish Catholic Church		Director(s): Mattingly, Melissa Brook

Inspection Type: Renewal Application	Inspection Information	Inspection No: 294004
Date Initiated: 08/13/2020 8:40 AM	Date Concluded: 08/13/2020 2:05 PM	
	No. of Children Present: 58	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
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, a caregiver hired on 6/18/18, had an annual performance evaluation on file dated 10/23/18.

Employee Records	Not In Compliance
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 observation, a caregiver hired on 9/24/19, completed six (6) hours of cabinet approved orientation training on 3/9/2020, which was not within the first three (3) months of employment. Also, a caregiver hired on 12/18/19, did not complete six (6) hours of cabinet orientation training.

Inspection Report**Programming****Not In Compliance****420 - Program of Activities Followed****Not In Compliance****922 KAR 2:120. Section 2. Child Care Services.**

(4) The child-care center shall provide a daily planned program:

- (a) Posted in writing in a conspicuous location with each age group and followed;
- (b) Of activities that are individualized and developmentally appropriate for each child served;
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and
- (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:
 - 1. Art or music;
 - 2. Math or numbers;
 - 3. Dramatic play;
 - 4. Stories and books;
 - 5. Science or nature;
 - 6. Block building or stacking;
 - 7. Tactile or sensory activity;
 - 8. Multi-cultural exposure;
 - 9. Indoor or outdoor play in which a child makes use of both small and large muscles;
 - 10. A balance of active and quiet play, including group and individual activity;
 - 11. An opportunity for a child to:
 - a. Have some free choice of activities;
 - b. If desired, play apart from the group at times;

Findings:

General: Based on observation, the posted daily planned program of activities was left blank in the one-year-olds' room.

Premises**Not In Compliance****580 - 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, brown spots were on two (2) ceiling tiles in the one-year-olds' room. An interview determined the ceiling tiles had not been changed after a recent repair.

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, a child arrived at 9:03 am and did not wash his hands with liquid soap and warm running water in the school-age room.

Inspection Report	
First Aid/Medication	Not In Compliance
730 - Medication	Not In Compliance
<p>922 KAR 2:120. Section 7. First Aid and Medicine.</p> <p>(6) Medication, including refrigerated medication, shall be:</p> <p>(a) Stored in a separate and locked place, out of the reach of a child unless the medication is:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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; <p>(b) Kept in the original bottle; and</p> <p>(c) Properly labeled.</p> <p>(7) Medication shall not be given to a child if the medication's expiration date has passed.</p>	
<p>Findings:</p> <p>General: Based on observation, a tube of Aquaphor Healing Ointment was not labeled to indicate to whom it belonged to in the one-year-olds' room.</p>	
Outdoor Play Area	In Compliance
Equipment	Not In Compliance
780 - Storage Space/Storage Device	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(29) Storage space shall be provided:</p> <p>(a) In the form of:</p> <ol style="list-style-type: none"> 1. Shelves; or 2. Other storage device accessible to the children; and <p>(b) In sufficient quantity for each child's personal belongings.</p>	
<p>Findings:</p> <p>General: Based on observation, ten (10) children's shoes and a backpack were stored together on the floor at the school age door.</p>	
820 - Indoor/Outdoor Equipment	Not In Compliance
<p>922 KAR 2:120. Section 11. Toys and Furnishings.</p> <p>(2) Indoor and outdoor equipment shall:</p> <ol style="list-style-type: none"> (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. 	
<p>Findings:</p> <p>General: Based on observation, rust was on two (2) stall walls in the boys' restroom. Each area was approximately twelve (12) inches long.</p>	
Transportation	Not Applicable
Food Service/Food Program	In Compliance
Food Service	Not In Compliance
1030 - Frozen Food	Not In Compliance
<p>922 KAR 2:120. Section 8. Kitchen Requirements.</p> <p>(5) Frozen food shall be:</p> <ol style="list-style-type: none"> (a) Kept at a temperature of zero degrees Fahrenheit or below; and (b) Thawed: <ol style="list-style-type: none"> 1. At refrigerator temperatures; 2. Under cool, potable running water; 3. As part of the cooking process; or 4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217. 	
<p>Findings:</p> <p>General: Based on observation, there was no thermometer in the freezer compartment of a GE freezer refrigerator in the kitchen.</p>	
Children's Records	In Compliance

Inspection Report		
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, a caregiver hired on 6/18/18, had an annual professional development plan on file that was dated 6/25/18.		
Posted Documentation		Not In Compliance
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, there was no schedule of daily activities in the one-year-olds' room.		
Animals		Not Applicable
Emergency Regulation		Not In Compliance
1250 - Emergency Regulation		Not In Compliance
922 KAR 2:400E. 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 2:400E, to prevent the spread of COVID-19.		
Findings: General: Based on observation, the center failed to assure school-age children wear a face mask in accordance with 922 KAR 2:400E Section 7(4). Surveyor observed a six-year-old child in the school-age room without wearing a mask at 9:03 a.m. A second six-year-old child did not wear a face mask in the preschool room A.		