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**Inspection Report**

<b>Provider Name:</b> Hugz 'N' Hissy Fits	<b>Provider Information</b>	<b>CLR No:</b> L359310
<b>Provider Address:</b> 815 Tyrone Pike, Versailles, KY, 40383	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 60
<b>Owner(s):</b> Hugz 'n' Hissy Fits LLC		<b>Director(s):</b> White, Kristi Lachelle

<b>Inspection Type:</b> Investigation	<b>Inspection Information</b>	<b>Inspection No:</b> 242441
<b>Date Initiated:</b> 10/12/2017 10:00 AM	<b>Date Concluded:</b> 10/13/2017 4:05 PM	
	<b>No. of Children Present:</b> 59	

Inspection Report	
Supervision	Not In Compliance
<b>5 - Children Supervised</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:120. Section 2. Child Care Services.</b>  <b>(3)(a) Each center shall maintain a child-care program that assures each child will be:</b>  <b>1. Provided with adequate supervision at all times by a qualified staff person who:</b>  <b>a. Ensures the child is within scope of vision and range of voice; or</b>  <b>b. For a school-age child, within scope of vision or range of voice;</b></p>	
<p><b>Findings:</b>                      General: Based on Observation, it was found that on 10-12-17, a two-year-old child was eating breakfast in the kitchen by herself. The kitchen is separated from a classroom by a half-wall. The teacher in the classroom was observed to be supervising children on the far side of the classroom. The child was observed to be unsupervised by the classroom staff for approximately five (5) minutes.                      On 10/12/17 at 3:05pm DRCC surveyors walked into the preschool classroom and found a teacher coming from another part of the building back over to the school age classroom. She stated that she had gone to the kitchen to get cups for the school age children. The children were left alone without supervision during that time frame. There were twenty-eight (28) children present. On 10/13/17 at approximately 3:30pm three (3) children were witnessed coming into the facility from the playground without adult supervision. The children walked over to their cubbies and got their coats and backpacks and then walked through the preschool classroom over to the two-year-old classroom where their parents were waiting to pick them up.</p>	

**40 - Ratios and Group Size**

**Not In Compliance**

**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.**

**Findings:**

General: Based on Observation, it was found that on 10-12-17 at 10:00 a.m. one (1) staff person was supervising fourteen (14) two-year-old children in the Two-Year-Old classroom for the duration of the survey. During interview, it was found that this same staff person was supervising fifteen (15) to twenty-seven (27) children ages two-months-old to school age from 6:30 a.m. until 7:00 a.m. At 7:00 a.m. a second staff person arrived and took six (6) infants and toddlers to another classroom, leaving the staff person in the Two-Year-Old classroom with twenty-one (21) children ages two-years-old to school age. At 7:15 a.m. six (6) school age children left for school, leaving the staff person with fifteen (15) children ages two to five (2-5) years until 7:52 a.m. when a third staff person arrived. At that time, the staff person was left supervising fourteen (14) two-year-old children. At 3:05 p.m. on 10-12-17, one (1) staff person was observed to be supervising fourteen (14) two-year-old children. The staff person admitted that the classroom had been out of ratio for the entire day. The classroom remained out of ratio throughout the duration of the second visit.

Also on 10/12/17 at 3:05pm there were twenty-eight (28) children ranging in age from four (4) years to school age with only one (1) staff person. There were also fourteen (14) children ranging from three-to four (3-4) years in the preschool classroom with one (1) staff person.

Upon arrival to the facility at 10:00 a.m. on 10-12-17, the staff person in the One Year Old classroom found to be supervising eight (8) one-year-old children. During interview, it was found that this staff person was supervising six (6) to fifteen (15) infants and toddlers from 7:00 a.m. to 8:18 a.m. At 8:18 a.m. another staff person arrived and took the infants to another classroom, leaving the staff person with eight (8) one-year-old children. During a second visit to the facility at 3:05 p.m., the staff person was still supervising eight (8) children. She admitted that her classroom was out of ratio for the entire day. The classroom remained out of ratio for the duration of the second visit.

At 3:05 p.m. on 10-12-17, two (2) staff were found to be supervising eleven (11) infants. The staff stated that the classroom started operating over ratio and group size at approximately 1:00 p.m. This classroom came back into compliance with ratios and group size at 3:27 p.m. In addition, it was also found that one (1) staff person was supervising ten (10) children ages one to two-years-old in the Two Year Old classroom. Based on interview and observation, it was found that the classroom was out of ratio from 11:30 a.m. until 3:53p.m. On this same date, two (2) staff were found to be supervising thirteen (13) infants. The staff stated that the classroom had been out of ratio and over maximum group size for the entire day. The classroom remained out of ratio and over group size for the duration of the visit.

General: Based on Observation, on 10/12/17 at 3:05pm there were twenty-eight (28) children ranging in age from four (4) to school age in the school age classroom with one (1) staff member. There were fourteen (14) preschool children ages three to four (3-4) years alone with one (1) staff member.

**General Administration**

**Not In Compliance**

**170 - Notification of Changes**

**Not In Compliance**

**922 KAR 2:110. Section 6. Reports.**

**(4) Written notification of the following shall be made to the cabinet to allow for approval before implementation:**

- (a) Change of ownership;**
- (b) Change of location;**
- (c) Increase in capacity;**
- (d) Change in hours of operation;**
- (e) Change of services in the following categories:**
  - 1. Infant;**
  - 2. Toddler;**
  - 3. Preschool-age;**
  - 4. School-age;**
  - 5. Nontraditional hours; or**
  - 6. Transportation; or**
- (f) Addition to the square footage a child-care center's premises.**

**Findings:**

General: Based on Observation, it was found that upon entry to the facility at 3:05 p.m. on 10-12-17 there were seventy-seven (77) children present. At 3:05 p.m. on 10-13-17 it was found that there were sixty-eight (68) children present at the facility. The capacity of the facility is sixty (60) children.

**Inspection Report**

**Director Requirements**

**Not In Compliance**

**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 Observation, it was found that on 10/12/17 two (2) children in the Two Year Old classroom were walking around the classroom while eating Rice Krispy Treats. One (1) child was also observed to be sitting on the floor while eating a Rice Krispy Treat. On 10/12/17 at 3:05pm there were seventy-seven (77) children present in a facility licensed for sixty (60) children. The school age classroom has a capacity of ten (10) children had twenty-eight (28) children present. Many of the children were standing or sitting on the floor because there was not enough seating or space for them. The room was crowded and there was not space for the children to move around without contacting or moving another child. On 10/13/17 at 3:00pm there were sixty-eight (68) children present. The facility is licensed for sixty (60) children.

**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, on 10/13/17 at 3:45pm one (1) staff member left the school age classroom to get a broom and dustpan which was housed in the preschool classroom closet. This left one (1) staff member alone with twenty-four (24) school age children for approximately one (1) minute. This staff member did not have a criminal record check or child abuse and neglect check on file and there was no proof that either check had been submitted at the time of the investigation.

**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 Observation, on 10/13/17 at 3:45pm one (1) staff member left the school age classroom to get a broom and dustpan which was housed in the preschool classroom closet. This left one (1) staff member alone with twenty-four (24) school age children for approximately one (1) minute. This staff member did not have a criminal record check or child abuse and neglect check on file and there was no proof that either check had been submitted at the time of the investigation.

**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 Review of Documentation, it was found that the file for an employee hired on 10-12-17 did not contain evidence of a high school diploma, GED or Commonwealth Childcare Credential.

**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, it was found that the file for an employee hired on 10-12-17 did not contain evidence of a TB skin test or screening.

**360 - Electronic Viewing/Listening Devices**

**Not In Compliance**

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

- (4) The child-care center shall provide a daily planned program:**
- (d) That offers a variety of creative activities including the following:**
- 12. Use of electronic viewing and listening devices if the:**
    - a. Material is appropriate to the child using the equipment;**
    - b. Material does not include any violence, adult content viewing, or inappropriate language;**
    - c. Viewing or individual listening is limited to two (2) hours per day;**
    - d. Viewing or listening is discussed with parents prior to viewing or listening; and**
    - e. Viewing or listening is designed as an educational tool.**
- (5) A child who does not wish to use the electronic devices during the planned program shall be offered other appropriate activities.**

**Findings:**

General: Based on Observation, it was found that on 10-12-17, the television was on while the children in the Two-Year-Old classroom participated in free play and again when the children in this classroom were eating their afternoon snack. On 10-13-17, the television was on while the children in the Toddler classroom were eating breakfast. On this same day, the television was on while the children in the Two-Year-Old classroom participated in free play. The viewing was not educational in nature, nor was television viewing part of the planned curriculum.

**415 - Toddler Combined with Preschool**

**Not In Compliance**

**922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.**

- (3) A toddler may participate in an activity with an older child for more than one (1) hour per day if:**
- (a) The toddler is in transition to the pre-school age group;**
  - (b) The toddler is twenty-one (21) months or older;**
  - (c) Space for the toddler is available in the preschool-age group;**
  - (d) The staff-to-child ratios and group sizes are maintained based the age of the youngest child;**
  - (e) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and**
  - (f) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.**

**Findings:**

General: Based on Observation, it was found that on 10-13-17, a twenty-one-month old child was present in the Two-Year-Old classroom. The teacher in the classroom stated that the child had been present in the classroom since 11:30 a.m. The child remained in the classroom until 3:53 p.m. The facility did not maintain ratios while the child was in the classroom, nor did they have a written transition plan on file or a way to track the attendance and times the child was present in the classroom.

**450 - Appropriate Use of Food**

**Not In Compliance**

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

- (2) Food shall not be:**
- (a) Used for reward;**
  - (b) Used for discipline;**
  - (c) Withheld until all other foods are consumed; or**
  - (d) Served while viewing electronic devices.**

**Findings:**

General: Based on Observation, it was found that on 10-12-17, the children in the Two-Year-Old classroom were eating their afternoon snack while watching the Backyardigans on television. It was also found that on 10-13-17, the children in the Toddler classroom were eating breakfast while watching Bear in the Big Blue House on television.

**Premises**

**Not In Compliance**

**505 - 35 Square Feet per Child**

**Not In Compliance**

**922 KAR 2:120. Section 4. Premises Requirements.**

- (6) Exclusive of the kitchen, bathroom, hallway, and storage area, there shall be a minimum of thirty-five (35) square feet of space per child.**

**Findings:**

General: Based on Observation, it was found that on 10-12-17, a staff person was supervising eight (8) one-year-old children in the Toddler classroom. Based on square footage, this classroom has a maximum capacity of six (6) children. Also on 10/12/17 at 3:05pm there were seventy-seven (77) children present in a facility licensed for sixty (60) children. The school age classroom has a capacity of ten (10) children had twenty-eight (28) children present. Many of the children were standing or sitting on the floor because there was not enough seating or space for them.

**565 - Infant/Toddler Indoor Space**

**Not In Compliance**

**922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.**

- (1) Infant and toddler inside areas shall:**
- (a) Be separate from an area used by an older child;**
  - (b) Not be an exit or entrance; and**
  - (c) Have adequate crawling space for an infant or toddler away from general traffic patterns of the center.**

**Findings:**

General: Based on Observation, it was found that the facility was using an outside door leading into the Infant classroom as an entrance and exit for the parents.

**585 - Sink**

**Not In Compliance**

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

- (3) A sink shall be:**
- (a) Located in or immediately adjacent to toilet rooms;**
  - (b) Equipped with hot and cold running water that allows for hand washing;**
  - (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;**
  - (d) Equipped with liquid soap;**
  - (e) Equipped with hand-drying blower or single use disposable hand drying material;**
  - (f) Equipped with an easily cleanable waste receptacle; and**
  - (g) Immediately adjacent to a changing area used for infants and toddlers.**

**Findings:**

Based on observation, the infant room and the toddler room are separated by a half wall and gate. There is no sink in the toddler room. The sink located in the infant room is not immediately adjacent to the changing area used for the infants.

**Hygienic Practices**

**Not In Compliance**

**595 - 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 their developmental skills; and**
  - (b) 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 wiping or blowing nose;**
  - 6. After touching items soiled with body fluids or wastes; and**
  - 7. After outdoor or indoor play time.**

**Findings:**

General: Based on Observation on 10/13/17, it was found that a staff person in the Toddler classroom changed a child's diaper, but did not wash the child's hands afterwards.

**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 on 10/13/17, it was found that a staff person in the Toddler classroom changed a child's diaper but did not wash her hands before or after the diaper change.

**635 - 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 wear disposable gloves, the gloves shall be changed and disposed after each child is diapered.**

**Findings:**

General: Based on Observation on 10/13/17, it was found that the staff person in the Toddler classroom did not sanitize the diaper changing pad after changing a child's diaper.

Inspection Report

Outdoor Play Area

Not In Compliance

695 - 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, it was found that a blue and red slide was located on the grass. The slide was approximately two (2) feet tall. It was also found that the ground covering beneath the swings and large climbers was sparse mulch and dirt. The climbers were approximately four (4) to five (5) feet tall.

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, on 10/12/17 at 10:10am an infant was observed sleeping in a swing. DRCC surveyor advised the staff that the infant needed to be placed in a bed. At approximately 10:45am the same infant was still in the swing asleep.

Food Service

Not In Compliance

910 - Bottle Feeding

Not In Compliance

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

(11) While bottle feeding an infant, the:

(a) Child shall be held; and

(b) Bottle shall not be:

- 1. Propped;
- 2. Left in the mouth of a sleeping infant; or
- 3. Heated in a microwave

Findings:

General: Based on Observation, it was found that on 10-12-17, an infant was observed to be drinking a bottle while seated in an exersaucer.

920 - Kitchen Requirements

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(1) The kitchen shall:

(a) Be clean;

(b) Be equipped for proper food:

- 1. Preservation;
- 2. Storage;
- 3. Preparation; and
- 4. Service;

(c) Be adequately ventilated to the outside air; and

(d) Except in a Type II child-care center when a meal is not being prepared, not be used for the activity of a child.

Findings:

General: Based on Observation, it was found that on 10-12-17, a two-year-old child was observed to be eating breakfast while seated in the kitchen. The child was seated in a child-size chair and using an adult-size chair as a table.

1035 - Sufficient Room/Eating Utensils Supplied

Not In Compliance

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

(13) Meals shall be:

(b) Served to a child:

- 1. Seated with sufficient room to manage food and tableware; and
- 2. Supplied with individual eating utensils designed for use by a child.

Findings:

Based on observation on 10/12/17, a staff person in the infant classroom was sitting on the floor feeding a child baby food while the child was sitting in an exersaucer. Two (2) other children in the infant classroom were being fed by another staff person while they were both sitting in bouncy seats. Additionally, two (2) children in the Two Year Old classroom were walking around the classroom while eating Rice Krispy Treats. One (1) child was also observed to be sitting on the floor while eating a Rice Krispy Treat.

Inspection Report

1055 - Breakfast Requirements

Not In Compliance

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

(17) Breakfast shall include:

- (a) Milk;
- (b) Bread; and
- (c) 1. Fruit;
- 2. Vegetable; or
- 3. 100 percent juice.

Findings:

General: Based on Interview, it was found that on 10-12-17 the children were served Poptarts and milk for breakfast. A fruit, vegetable or juice component was not served as required.

Children's Records

Not In Compliance

1070 - Immunization

Not In Compliance

922 KAR 2:110. Section 3. 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, it was found that the files for two (2) children enrolled on 4-20-17 did not contain immunization certificates. Two (2) additional sibling school age children present did not have immunization records on file.

Written Documentation

Not In Compliance

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 Review of Documentation, it was found that at 10:00 a.m. on 10-12-17 only two (2) of the fourteen (14) children present in the Two-Year-Old classroom were signed in and there were only thirteen (13) out of twenty-five (25) preschool children signed into the facility.

Posted Documentation

Not In Compliance

1155 - Posting Requirements

Not In Compliance

922 KAR 2:110. Section 2. General.

- (7) 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) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
- (b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
- (c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;
- (d) 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;
- (e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
- (f) Daily schedule.

Findings:

General: Based on Observation, it was found that a daily schedule was not posted in the Two-Year-Old classroom.

1165 - Daily Activities

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:

- (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, it was found that a schedule of daily activities was not posted in the Two-Year-Old classroom.

Signature of Provider/Representative

Title

Date