



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

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Inspection Report

Provider Name: Child Development Play-Care	Provider Information	CLR No: L355104
Provider Address: 23 East Villa Place, Ft. Thomas, KY, 41075	Provider Type: LICENSED TYPE I	Capacity: 125
Owner(s): Play-care Center, Inc.		Director(s): Bankemper, Gilberta Sue

Inspection Type: Renewal Application	Inspection Information	Inspection No: 245306
Date Initiated: 06/21/2018 9:57 AM	Date Concluded: 06/21/2018 2:10 PM	
	No. of Children Present: 100	

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 January 1, 2018, shall:

(a) Have completed the background checks required in accordance with this administrative regulation and 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, it was found that a background check for a staff person hired 5/2/18 had not been submitted in accordance with this administrative regulation. There was an additional staff person hired 1/12/18 who is under the age of eighteen - years-old. There were no results of a Child Abuse and Neglect (CAN) check and there was no documentation available to verify that the application for the results of a CAN check had been submitted. There was an additional staff person hired 12/14/17 who had the results of a criminal records check from Edgewood Nursing Program. This was the only records check on file for this staff person. This does not meet the requirements for the administrative regulation.

10 - Submit background check **Not In Compliance**

922 KAR 2:280. Section 4. Procedures and Payments.

(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:

(a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member;

(b) Request that the prospective child care staff member complete and sign the:

1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and

2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and

(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:

1. Child abuse and neglect central registry pursuant to 922 KAR 1:470;

2. National Crime Information Center's National Sex Offender Registry; and

3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.

Findings:

General: Based on Review of Documentation, it was found that a background check for a staff person hired 5/2/18 had not been submitted in accordance with this administrative regulation.

Inspection Report

**Supervision
Staffing Requirements**

**In Compliance
Not In Compliance**

125 - 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 12 to 24 months

1 staff for 6 children 12

Toddler 24 to 36 months

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.**

(b) The age of the youngest child in the group shall determine the:

- 1. Staff-to-child ratio; and**
- 2. Maximum group size.**

Findings:

General: Based on Observation, during a tour of the infant room twelve (12) cribs were observed. Interviews with staff found there are fourteen (14) children enrolled in the room. Interviews also found there have been times when there have been eleven (11) children present at the same time. This exceeds the maximum group size for infants. Staff stated there are always three (3) staff in the room. Staff also indicated that this only happened while school was in session.

**General Administration
Director Requirements**

**In Compliance
Not In Compliance**

350 - Health, Safety, Comfort

Not In Compliance

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

(1) A director shall:

(I) Assure the health, safety, and comfort of each child;

Findings:

General: Based on Observation, there were two (2) children in the one-year-old room wearing teething necklaces. These necklaces are a safety hazard. The posted planned program of activities posted in the one-year-old room had rice play listed as an activity to be conducted on 6/26/18. Rice is not a developmentally appropriate material and safety hazard to be used with children who are one-year-old. During a tour of the one-year-old room some of the children were observed with green coloring on their hands and clothing. The surveyor asked staff if the children had painted and staff indicated it was a child's birthday and they had cupcakes with green icing and raisins for snack. Raisins are a choking hazard for children of this age.

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, there were six (6) staff (hires dates: 8/28/17, 9/26/17 - two staff, 7/27/17-2 staff, 10/18/16 and 12/14/17) who did not have a high school diploma, GED or other qualifying documentation on file. There was one (1) staff person hired 4/6/18 who is still in high school. However, there was no documentation to verify this staff person is enrolled in school.

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, there was one (1) staff person with a hire date of 9/26/17 who had a T.B. test administered on 8/24/17. However, documentation of the results of this test was not on file at the facility. A staff person hired 12/8/17 had the results of a T.B. test dated 11/12/15. This exceeds the two-year timeframe. There were seven (7) (hire dates - 5/2/18, 8/28/17, 1/12/18, 4/6/18, 7/31/17, 9/26/17 and 12/14/17 who had the results of a T.B. skin test completed after their hire date.

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 ECE-Tris records, it was found that five (5) staff with hire dates of 8/28/17, 9/26/17 (2 staff) and 12/14/17 who had not completed six (6) hours of cabinet-approved training within the first three (3) months of employment. There were four (4) staff (hire dates - 10/18/16, 7/10/16, 2/6/17 and 12/8/15) who have not completed one and one-half (1 1/2) hours of cabinet-approved pediatric abusive head trauma training. There were sixteen (16) staff who had not completed fifteen (15) hours of cabinet -approved annual training during their first year of employment and each year after that based on their date of hire.

415 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

- (18) A driver of a vehicle transporting a child for a center shall:**
(a) Be at least twenty-one (21) years old;
(b) Complete:
1.The background checks as described in 922 KAR 2:280; and
2. An annual check of the:
a. Kentucky driver history records in accordance with KRS 186.018; or
b. Driver history records through the state transportation agency that issued the driver's license;
(c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and
(d) Not caused an accident which resulted in the death of a person.

Findings:

General: Based on Review of Documentation, three (3) staff who transport children in the facility van had a driver history result dated 9/8/16. This was the most current record on file for each of these staff.

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 the following:
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 Review of Documentation, the planned program of activities posted in the one-year-old room had rice play listed as an activity to be conducted on 6/26/18. Rice is not a developmentally appropriate material to be used with children who are one-year-old. There was not a planned program of activities posted in the infant room.

Inspection Report

430 - 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) 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 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 Review of Documentation, it was found permission to view PG movies was obtained from parents of children enrolled in the school age room. It was also found that the school age children were taken on a field trip to the movie theater to view The Incredibles 2 which is rated PG.

Premises

In Compliance

Hygienic Practices

Not In Compliance

710 - Toy Sanitation Procedure

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.
(4) A toy or another item that is considered a mouth contact surface by a child not toilet trained shall be sanitized daily by:
(a) 1. Scrubbing in warm, soapy water using a brush to reach into crevices;
2. Rinsing in clean water;
3. Submerging in a sanitizing solution for at least two (2) minutes; and
4. Air dried; or
(b) Cleaning in a dishwasher if the toy or other item is dishwasher safe.

Findings:

General: Based on Interview, staff in the one-year-old room stated that toys and other items that are considered a mouth contact surface by a child not yet toilet trained are cleaned daily by dipping them in bleach water and letting them air dry. Staff in the infant room stated that toys that are mouthed are washed with soap and water and on Friday of each week they do a deep clean using bleach water. These processes do not meet the requirements for sanitizing toys.

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. In accordance with KRS 199.8951:
a. An epinephrine auto-injector shall be inaccessible to a child;
b. A child-care center shall have at least one 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 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, it was found that medication is stored in a cabinet over a chest style freezer located in the eating area. At the time of the survey the door to the cabinet was unlocked. Inside of the cabinet there was a bottle of Children's Pain Reliever, Children's Allergy Relief, three (3) bottles of acetaminophen and two (2) bottles of Mucous Relief that were not labeled for an individual.

Outdoor Play Area

Not In Compliance

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, the mulch on both playgrounds was sparse with numerous areas of dirt exposed under equipment used to climb, slide and swing.

Inspection Report

Equipment

Not In Compliance

815 - Toys/Furniture

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

- (1) All toys and furniture contacted by a child shall be:**
 - (a) Kept clean and in good repair; and**
 - (b) Free of peeling, flaking, or chalking paint.**

Findings:

General: Based on Observation, there were several shelves in the two-year-old room, the two-three year old room, The Superstars room and the School Age room that had numerous areas of chipping a paint. In the two-three year old room several of the cardboard blocks were in disrepair. In the two-year-old room there were numerous books in the book area that were torn and incomplete.

Transportation

Not In Compliance

870 - Transportation Notification/Third Party Contracts

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

- (3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:**
 - (f) Contracts, agreements, or documents detailing arrangements with any third party for services;**

Findings:

General: Based on Interview, it was found that for some field trips the facility contracts with Campbell County schools to provide transportation. At the time of the survey a third party agreement was not available for review.

880 - Vehicle Equipment

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

- (4) A vehicle used to transport children shall be equipped with:**
 - (a) A fire extinguisher;**
 - (b) First aid supplies as described in Section 7 of this administrative regulation;**
 - (c) Emergency reflective triangles; and**
 - (d) A device to cut the restraint system, if necessary.**

Findings:

General: Based on Observation, it was found that the first aid supplies on the van used to transport children from school and on field trips did not contain liquid soap.

Food Service/Food Program

Not In Compliance

995 - Lunch/Dinner Requirements

Not In Compliance

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

- (19) Lunch and dinner shall include:**
 - (a) Milk;**
 - (b) Protein;**
 - (c) Bread; and**
 - (d) 1. Two (2) vegetables;**
 - 2. Two (2) fruits; or**
 - 3. One (1) fruit and one (1) vegetable.**

Findings:

General: Based on Observation, at the time of the survey lunch was observed. The children were served, pancakes, apple sauce, sausage, syrup and milk. This does not meet the requirements for lunch. An interview with the director found the facility does not participate in the Federal Food Program.

Food Service

In Compliance

Children's Records

In Compliance

Written Documentation

In Compliance

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of
Provider/Representative

Title

Date