



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: Heritage Park PreSchool and Nursery	Provider Information	CLR No: L382127
Provider Address: 3802 Legacy Run, Owensboro, KY, 42301	Provider Type: LICENSED TYPE I	Capacity: 85
Owner(s): Heritage Park Preschool & Nursery, LLC		Director(s): Mattingly, Rachel Nicole

Inspection Type: Renewal Application	Inspection Information	Inspection No: 307744
Date Initiated: 06/29/2021 10:10 AM	Date Concluded: 06/29/2021 3:05 PM	
	No. of Children Present: 60	

Inspection Report	
Background Checks	Not In Compliance
20 - Out of state background checks	Not In Compliance
<p>922 KAR 2:280. Section 5. Checks of Other States.</p> <p>(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:</p> <p>(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:</p> <ol style="list-style-type: none"> 1. An in-state criminal records check by: <ol style="list-style-type: none"> 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 <p>(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.</p> <p>Findings:</p> <p>General: Based on review of documentation, a caregiver hired on 8/5/19, had an Indiana criminal records check dated 8/11/20 that indicated the search was inconclusive. It was stated on the document that the caregiver needed to obtain a criminal record COVID-19 response review challenge to complete the process; however, the caregiver failed to do so.</p>	
85 - Employment Status	Not In Compliance
<p>922 KAR 2:280. Section 11. Status of Employment.</p> <p>(1) A child care provider shall maintain the employment or residential status of each child care staff member who has submitted to a fingerprint-based criminal background check by reporting the status using the NBCP Web-based system.</p> <p>Findings:</p> <p>General: Based on review of documentation, a caregiver rehired on 4/1/21, was listed under separated employees on the KARES Report; therefore, the caregiver's employment status was not maintained.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance

Inspection Report	
General Administration	Not In Compliance
210 - Licensee Responsibility	Not In Compliance
922 KAR 2:090. Section 8. General. (1) A licensee shall: (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and (b) Protect and assure the health, safety, and comfort of each child.	
Findings: General: Based on review of documentation, the center failed to assure compliance to 922 KAR 2:415E. A caregiver hired on 1/26/21, did not have a name-based child abuse/neglect check on file. In addition, the caregiver's name-based criminal records check, dated 6/3/21, was not submitted timely.	
Director Requirements	Not In Compliance
365 - Altered/Falsified Records	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (n) Assure each mandatory record specified in Section 9 of this administrative regulation has not been altered or falsified;	
Findings: General: Based on interview and review of documentation, a caregiver's criminal records check from Indiana was altered. White out covered the words "Inconclusive results fingerprints" at the top of the document. An interview with the owner determined she observed the white out on the document but had no knowledge of who altered the document. An interview with Indiana State Police determined the document was computer generated and was not released containing a white out substance.	
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, a caregiver hired on 5/3/21, did not have education verification on file.	
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, two (2) caregivers hired on 5/3/21 and 3/3/21, did not have TB documentation on file.	
Programming	In Compliance
Premises	Not In Compliance
645 - 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: General: Based on observation, the hot water temperature registered one hundred twenty-five (125) degrees Fahrenheit at two (2) sinks in the infants' room.	
Hygienic Practices	Not In Compliance
680 - Soiled Diapers/Clothing	Not In Compliance
922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements. (8) Diapers or clothing shall be: (a) Changed when soiled or wet; (b) Stored in a covered container temporarily; and (c) Washed or disposed of at least once a day.	
Findings: General: Based on observation, soiled diapers were stored in an uncovered trash receptacle near the diaper changing area in the two-year-olds' room.	

Inspection Report	
First Aid/Medication	In Compliance
Outdoor Play Area	Not In Compliance
750 - Playground Conditions	Not In Compliance
922 KAR 2:120. Section 4. Premises Requirements. (20) An outdoor play area shall be: (d) Safe from foreseeable hazard; (e) Well drained; (f) Well maintained; (g) In good repair; and (h) Visible to staff at all times.	
Findings: General: Based on observation, a foot gap was present between two (2) disconnected wooden landscape timbers, which exposed two (2) sharp edges, in the preschool outdoor play area.	
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, a blue and yellow slide and a multicolor Step 2 double slide each had a thin layer of mulch at the end of the slide in the preschool outdoor play area. Also, a Step 2 slide was sixteen (16) inches tall and the protective surface extended out nine (9) inches on one (1) side of the slide in the toddlers' outdoor play area.	
Equipment	
770 - Play Equipment	Not In Compliance
922 KAR 2:120. Section 4. Premises Requirements. (24) Supports for climbing apparatus and large equipment shall be securely fastened to the ground. (25) Crawl spaces, such as tunnels, shall be short and wide enough to permit access by adults. (26) A sandbox shall be: (a) Constructed to allow for drainage; (b) Covered when not in use; (c) Kept clean; and (d) Checked for vermin prior to use.	
Findings: General: Based on observation, a sandbox was not in use and was uncovered in the preschool outdoor play area.	
790 - 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, a blue sheet loosely fit a crib mattress in the infants' room. A white sheet was ill fitting and lifted up the four (4) corners of a crib mattress in the infants' room. Children slept on both mattresses.	
820 - Indoor/Outdoor Equipment	Not In Compliance
922 KAR 2:120. Section 11. Toys and Furnishings. (2) Indoor and outdoor equipment shall: (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.	
Findings: General: Based on observation, vinyl peeled on the surface of a black adult size office chair in the two-year-olds' room.	
Transportation	
	Not Applicable
Food Service/Food Program	
	Not Applicable

Inspection Report**Food Service****Not In Compliance****1130 - Menu****Not In Compliance****922 KAR 2:120. Section 9. Food and Meal Requirements.****(16) A weekly menu shall be:**

- (a) Prepared;**
- (b) Dated;**
- (c) Posted in advance in a conspicuous place;**
- (d) Kept on file for thirty (30) days; and**
- (e) Amended in writing with any substitutions on the day the meal is served.**

Findings:

General: Based on observation, the posted menu in the foyer was not dated.

Children's Records**Not In Compliance****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, a child enrolled on 8/2/20, did not include a preferred hospital in the enrollment information. A child enrolled on 11/4/16, did not include a preferred hospital, name of physician, and the physician's contact number in the enrollment information. A child enrolled on 4/5/21, did not include a preferred hospital and the name of a person who was designated in writing to pickup the child in the enrollment information. A child enrolled on 6/8/21, did not include the physician's contact number and preferred hospital in the enrollment information. Two (2) children each enrolled on 4/5/21, did not have the name of a person who was designated in writing to pickup the child in the enrollment information. Also, a child enrolled on 11/4/16, did not include authorization from a parent for the center to seek emergency medical care for the child in the parent's absence.

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, the center's written evacuation plan was not updated each year in accordance with KRS 199.895. The evacuation plan was last updated in 2019.

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 4/18/13, did not have an annual professional development plan on file.

Inspection Report		
	Posted Documentation	Not In Compliance
1200 - Posting Requirements		Not In Compliance
<div>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 Web site 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.</div>		
Findings: General: Based on observation, the center's statement of deficiency and plan of correction for the current licensure year were not posted.		
	Animals	Not Applicable