



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

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Inspection Report

Provider Name: L & M Childcare	Provider Information	CLR No: L383097
Provider Address: 41 Elliott Howard Subdivision, Burning Fork Road, Salyersville, KY, 41465	Provider Type: LICENSED TYPE I	Capacity: 27
Owner(s): L & M Childcare, Llc		Director(s): Lemaster, Emma Kay

Inspection Type: Renewal Application	Inspection Information	Inspection No: 290615
Date Initiated: 11/18/2019 2:00 PM	Date Concluded: 11/18/2019 4:00 PM	
	No. of Children Present: 9	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	In Compliance
Employee Records	Not In Compliance
405 - Adequate Substitute(s)	Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.
(6) Child-care centers shall have available in case of need:
(a) One (1) qualified substitute staff person for a Type II child-care center; or
(b) Two (2) qualified substitute staff persons for a Type I child-care center.
(7) Each qualified substitute staff person shall:
(a) Meet the staff requirements of this administrative regulation; and
(b) Provide the required documentation to verify compliance with this administrative regulation.

Findings:

General: Based on review of documentation and interview, the surveyor learned that the center has two (2) substitute staff (DOH: 07/06/19 and 07/09/19). Based on the staff files that were presented for review, the surveyor found the two (2) substitute staff did not complete the six (6) hours of orientation training. Review of ECE-TRIS revealed the six (6) hours of orientation was not completed.

During interview, staff stated she knew training was incomplete.

Inspection Report

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, the surveyor was not presented with documentation for:

- 1. The completion of six (6) hours of orientation training for a staff member (DOH: 07/06/19). Review of ECE-TRIS revealed the six (6) hours of orientation was not completed.
- 2. The completion of six (6) hours of orientation training for a staff member (DOH: 07/09/19). Review of ECE-TRIS revealed the six (6) hours of orientation was not completed.
- 3. The completion of six (6) hours of orientation training for a staff member (DOH: 02/03/19). Review of ECE-TRIS revealed the six (6) hours of orientation was not completed.
- 4. Verification of only one (1) hour of early care and education annual training was found for a staff (DOH: 02/14/17). Review of ECE-TRIS revealed the fifteen (15) hours of training were not completed.
- 5. Verification of only two and one half (2.5) hours of early care and education annual training was found for a staff (DOH: 06/14/13). Review of ECE-TRIS revealed the fifteen (15) hours of training were not completed.

During interview, staff stated she was aware training was incomplete.

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 and interview, the surveyor found in the Infant Room that the posted program of activities was dated for the month of August; therefore, the lesson plan was not updated as required.

During interview, staff stated they post the same lesson plan in each room; however, she forgot the Infant Room.

Premises

Not In Compliance

540 - Premises Requirements

Not In Compliance

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

- (1) The premises shall be:**
- (a) Suitable for the purpose intended;**
 - (b) Kept clean and in good repair;**

Findings:

General: Based on observation, the surveyor found the trash receptacles in the restrooms were full of soiled paper towels and soiled towels were hanging over the edge of trash receptacles. Therefore, the premises were not kept clean.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Inspection Report

Outdoor Play Area

Not In Compliance

745 - Playground Clean

Not In Compliance

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

(20) An outdoor play area shall be:

(c) Free from:

- 1. Litter;**
- 2. Glass;**
- 3. Rubbish; and**
- 4. Flammable materials;**

Findings:

General: Based on observation and interview, the surveyor found the outdoor playgrounds littered with garbage (paper cups and Sun Chip bags).

During interview, staff stated the playground will be cleaned.

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

In Compliance

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 presented documentation, the surveyor found:

1. The most recent immunization certificate for one (1) child (DOE: 09/10/18) was no longer current after 03/15/19.
2. The most recent immunization certificate for one (1) child (DOE: 05/02/19) was no longer current after 03/05/19.
3. The file for a child (DOE: 02/03/19) did not contain an immunization certificate.

Written Documentation

Not In Compliance

1175 - Earthquake/Tornado/Fire Drills

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**
- (i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**

Findings:

General: Based on review of documentation, the surveyor found no written record that a fire drill was practiced during July 2019. Staff confirmed through interview that the drill was not conducted.

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1195 - Fire Drills

Not In Compliance

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

(12) A fire drill shall be:

- (a) Conducted during hours of operation at least monthly; and**
- (b) Documented.**

(13) An earthquake drill and a tornado drill shall be:

- (a) Conducted during hours of operation at least quarterly; and**
- (b) Documented.**

Findings:

General: Based on review of documentation and interview, the surveyor found that a fire drill was not documented during July 2019. Staff confirmed through interview that the drill was not conducted.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of
Provider/Representative

Title

Date