



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511
Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Flutterby Discovery Center Provider Address: 10 Canary Lane, Winchester, KY, 40391 Owner(s): Flutterby Discovery Center, LLC	Provider Information Provider Type: LICENSED TYPE I	CLR No: L383133 Capacity: 99 Director(s): Andreas, Shannon Elizabeth
Inspection Type: Investigation Date Initiated: 08/06/2020 10:40 AM	Inspection Information Date Concluded: 08/06/2020 11:55 AM No. of Children Present: 60	Inspection No: 304189

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
180 - Plan of Correction/15 days	Not In Compliance
922 KAR 2:090. Section 14. Statement of Deficiency and Corrective Action Plans. (2) Except for a violation posing an immediate threat as handled in accordance with KRS 199.896(5)(c), a child-care center shall submit a written corrective action plan to the cabinet or its designee within fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation.	
Findings: A PLAN OF CORRECTION WAS DUE ON 09/11/2020 AND AS OF 09/17/2020, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.	
Director Requirements	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, this regulatory requirement was not met. The following was found during a tour of the facility: 1. The surveyor observed a power strip lying on the floor beside a toy shelf in one of the preschool classrooms. Three electronic devices were plugged into the power strip and the cords were lying on the floor in the children's play area; therefore, accessible to the children. 2. The surveyor observed two electronic devices plugged into an outlet under the children's cubbies and a fan plugged into an outlet above the refrigerator in the toddler classroom. All three cords were hanging loose (not secure) and accessible to the children present in the classroom.	

Inspection Report**Employee Records****Not In Compliance****385 - Personnel File****Not In Compliance****922 KAR 2:090. Section 9. Records.****(1) A child-care center shall maintain:****(e) A current personnel file for each child-care center staff person to include:**

- 1. Name, address, date of birth, and date of employment;**
- 2. Proof of educational qualifications;**
- 3. Record of annual performance evaluation;**
- 4. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and**
- 5. The results of background checks conducted in accordance with 922 KAR 2:280;**

Findings:

General: Based on observation, review of documentation, and interview, this regulatory requirement was not met. The following was found:

1. A review of staff files during the inspection found three staff that did not have the date of employment listed in their file. The staff person verbally identified 6/15/20 as the hire dates. However, the dates of hire were not maintained in the personnel files.
2. One staff person, that was observed working in the kitchen during the visit, did not have a file or any documentation available for the surveyor to review during the visit. The staff person in charge identified this person as a relative of the director and stated that he started working at the facility "approximately two weeks ago" as the cook. The exact date could not be determined during the visit. The staff person in charge stated that this staff person does not work with the children.

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 observation and review of documentation, and interview, this regulatory requirement was not met. The following was found:

1. Two staff (both hired 6/15/20) did not have T.B. documentation on file.
2. One staff person (hire date: unknown), that was identified as the cook, did not have T.B. documentation on file. The staff person in charge stated that this staff person started working at the facility "approximately two weeks ago" and indicated that he only works in the kitchen.

Food Service/Food Program**In Compliance****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 review of documentation, observation, and interview, this regulatory requirement was not met. A review of the facility's posted items found that a menu was not posted. The staff person in charge stated that the staff person that typically fills out the menu is on vacation for the week and forgot to post one before she left.

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, review of documentation, and interview, this regulatory requirement was not met. The following was found:

1. Two staff (both were hired on 6/15/20) had documentation in their file that a child abuse/neglect check (CAN) and a criminal records check (CRC) had been submitted for processing; however, the results had not yet been obtained. The surveyor observed both of these staff working alone with children during the investigation.
2. The facility failed to submit a background check for one staff person (hire date: unknown) identified as the cook. There was no evidence or results on file of a completed child abuse/neglect check (CAN) or a criminal records check. The staff person in charge stated that the director might have submitted these two forms for processing; however, indicated that she did not know for sure. There was not a file or any documentation on file for this staff person for the surveyor to review during the investigation. The staff person in charge stated that this staff person started working at the facility "approximately two weeks ago". The exact date could not be determined during the visit. The staff person in charge stated that this staff person does not work with the children. He only works in the kitchen from approximately 9:00AM - 1:00PM each day.

Signature of Provider/Representative

Title

Date