



**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  
Southern Branch  
116 Commerce Ave  
London, KY 40744

**Adam Mather**  
INSPECTOR GENERAL

Phone: (606) 330-2030 Fax: (606) 330-2056  
<https://chfs.ky.gov/agencies/os/oig>

**Inspection Report**

<b>Provider Name:</b> Tree Top Toddlers Childcare Center	<b>Provider Information</b>	<b>CLR No:</b> L383201
<b>Provider Address:</b> 300 West Hwy 635, Science Hill, KY, 42553	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 88
<b>Owner(s):</b> Tree Top Toddlers Childcare Center, Inc.		<b>Director(s):</b> Keith, Laura

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 219283
<b>Date Initiated:</b> 04/21/2017 8:55 AM	<b>Date Concluded:</b> 04/21/2017 12:20 PM	
	<b>No. of Children Present:</b> 32	

<b>Inspection Report</b>	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>General Administration</b>	<b>In Compliance</b>
<b>Director Requirements</b>	<b>Not In Compliance</b>
<b>265 - Health, Safety, Comfort</b>	<b>Not In Compliance</b>
<b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b> <b>(1) Effective with the adoption of this administrative regulation, a director shall:</b> <b>(l) Provide for the health, safety, and comfort of each child;</b>	
<b>Findings:</b>	
General: Based on observation and interview, the surveyor found one (1) electrical outlet unprotected in the school age room on the back wall. Upon interview, staff were not aware of the unprotected outlet.	
<b>275 - Caregiver Alone</b>	<b>Not In Compliance</b>
<b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b> <b>(1) Effective with the adoption of this administrative regulation, a director shall:</b> <b>(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;</b>	
<b>Findings:</b>	
General: Based on review of documentation and interview, an employee file (DOH: 12/20/16) contained documentation showing that the criminal records check was submitted via mail on 11/22/16; however, the results of the criminal records check were not present in the file. The Director stated that she was positive the results had been returned but she did not located them at the time of the survey. The Director reported that the employee had worked alone with the children.	

**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 review of documentation and interview, the following were found:

1. An employee file (DOH: 2/14/17) presented for review contained a criminal records check dated for 2/23/17. Documentation in the file revealed that the criminal records check was not signed or submitted via mail until 2/15/17; therefore, it was not submitted timely on or before the date of hire. The Director stated that the criminal records check is always submitted via mail with the Child Abuse and Neglect check; however, staff do not work alone with the children until the results of both background checks are returned.

2. An employee file (DOH: 12/20/16) contained documentation showing that the criminal records check was submitted via mail on 11/22/16; however, the results of the criminal records check were not present in the file. The background check was submitted timely but the results were not received within ninety (90) days of the employee's date of hire. The Director stated that she was positive the results had been returned but she did not locate them at the time of the survey. The Director reported that the employee had worked alone with the children.

**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, and interview, an employee file (DOH: 2/14/17) presented for review did not contain results of a negative tuberculin skin test completed within the past two (2) years as required. The employee reported that she had turned a negative tuberculin skin test result in upon hire; however, the Director did not locate the documentation at the time of the survey.

**340 - Training**

**Not In Compliance**

**922 KAR 2:110. Section 5. Staff Requirements.**

**(14) 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 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 pediatric abusive head trauma training completed once every five (5) years.**

**Findings:**

General: Based on review of documentation, review of ECE-TRIS, and interview, the following were found:

1. An employee file (DOH: 3/14/16) only contained documentation of twelve (12) hours of continuing education training for 3/14/16 through 3/13/17. Review of ECE-TRIS, confirmed that the employee had only completed twelve (12) hours of training for the 2016-2017 year. The Director was not aware that the employee had not completed the required fifteen (15) hours of continuing education training.

2. An employee file (DOH: 3/14/16) contained documentation of Pediatric Abusive Head Trauma being completed on 3/31/17. Therefore, the training was not completed within the employee's first year of employment. The Director was not aware that the training had not been completed timely.

**Programming**

**In Compliance**

**Inspection Report**

**Premises**

**Not In Compliance**

**460 - Inaccessible Items**

**Not In Compliance**

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

**(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:**

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Knives and sharp objects;**
- (c) Matches, cigarettes, lighters, and flammable liquids;**
- (d) Plastic bags;**
- (e) Litter and rubbish;**
- (f) Bar soap; and**
- (g) Personal belongings and medications of staff.**

**Findings:**

General: Based on observation and interview, the following were found:

1. There was a strand of indoor/outdoor lights around the white board in the Pre-k Room that were accessible to the children. The tag on the strand of lights read that the lights should not be accessible to small children. Staff stated they did not realize the lights could not be accessible to children.
2. There was a cell phone charger cord in the second unlocked drawer of the gray desk in the Older Three's Room. The charger cord was accessible to children. The Director reported staff are not supposed to have cell phones out in the classrooms so the charger cord should not be there.
3. In the bottom drawer of the gray desk located in the Older Three's Room there was a roll of loose plastic trash bags. The drawer was unlocked and the bags were accessible to the children. The Director stated that the bags should not be stored in the drawer.

**515 - Protected Openings**

**Not In Compliance**

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

**(8) An opening to the outside shall be effectively protected against the entrance of vermin by:**

- (a) Self-closing doors;**
- (b) Closed windows;**
- (c) Screening;**
- (d) Controlled air current; or**
- (e) Other effective means.**

**Findings:**

General: Based on Observation, and interview, the surveyor found that there was approximately a one-half (1/2) inch hole around the door knob on the exterior door in the Pre-k Room. Light from the outside could be seen through the hole by the door knob and around the edge and bottom of the door. Upon interview, the Director stated she was aware of the issue.

**520 - Floors, Walls, Ceilings**

**Not In Compliance**

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

**(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.**

**Findings:**

General: Based on observation and interview, the surveyor found that there was a ceiling tile in the Older Three's Room that was stained with a brown substance. Upon interview, staff and the Director stated that they were not aware of there having been a leak in the room.

**Hygienic Practices**

**Not In Compliance**

**625 - Diaper Changing Area/Surface**

**Not In Compliance**

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

**(10) When a child is diapered, the child shall:**

- (b) Be placed on a surface that is:**
  - 1. Clean;**
  - 2. Padded;**
  - 3. Free of holes, rips, tears, or other damage;**
  - 4. Nonabsorbent;**
  - 5. Easily cleaned; and**
  - 6. Free of any items not used for diaper changing.**

**Findings:**

General: Based on observation and interview, the surveyor found debris including dirt and mulch on the changing mat and underneath the changing mat in the One's Room. Staff stated that the changing area is cleaned after each use.

**First Aid/Medication**

**In Compliance**

**Inspection Report**

**Outdoor Play Area**

**Not In Compliance**

**685 - 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 following were found:

- 1. There were multiple wet papertowels on the school-age playground.
- 2. There was a soiled wipe by the trash can on the Two's Playground.

Staff stated that the wipe may have fell out of the trash can. Staff reported that the playground is supposed to be cleaned up before allowing the children to play.

**690 - 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 and interview, the playground was found not to be free of foreseeable hazards.

- 1. There is some metal siding on the building within the school-age playgroud fence that has sharp edges thus presenting a risk of harm to children utilizing the playground. The Director stated she had not thought of the risk presented by the siding.
- 2. Children were observed playing in approximately half (1/2) an inch of brown dirty water located in the play kitchen sink on the Pre-k Playground. Staff stated that water is supposed to be emptied out of equipment or dried up before children our allowed to play.
- 3. The curvy slide on the school age playground appeared to be crooked and was very shaky or not anchored well. The Director stated she was not aware of the condition of the slide.

**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 and interview, the protective surface under the slide and monkey bars on the school-age playground had been depleted. The Director reported that the mulch is replenished each year in the spring after it stops raining so much.

**Equipment**

**In Compliance**

**Transportation**

**Not Applicable**

**Food Service**

**Not In Compliance**

**950 - Kitchen Equipment Clean and Sanitary**

**Not In Compliance**

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

**(7) The following shall be clean and sanitary:**

- (a) Eating and drinking utensils;**
- (b) Kitchenware;**
- (c) Food contact surfaces of equipment;**
- (d) Food storage utensils;**
- (e) Food storage containers;**
- (f) Cooking surfaces of equipment; and**
- (g) Nonfood contact surfaces of equipment.**

**Findings:**

General: Based on observation and interview, the surveyor found that there was baked-on food on the inside of the oven door and sides of the oven. The Director reported that the oven is cleaned once a month on a Friday after the center has closed.

**Inspection Report**

**Children's Records**

**Not In Compliance**

**1075 - Enrollment Information**

**Not In Compliance**

**922 KAR 2:110. Section 3. 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 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 situation 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 and interview, a child's file (DOE:11/4/14) presented for review did not contain the telephone number for the preferred physician. Upon interview, the Director confirmed that the preferred physician's information had been updated recently and the parents must have failed to include the telephone number.

**Written Documentation**

**Not In Compliance**

**1115 - Earthquake/Tornado Drills**

**Not In Compliance**

**922 KAR 2:110. Section 3. 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;**

**Findings:**

General: Based on review of documentation and interview, the surveyor found there were no earthquake or tornado drills documented for July - September 2016 or October - December 2016. Upon interview, staff reported that the drills had been conducted but they did not locate the documentation at the time of the survey.

**1145 - Earthquake/Tornado Drills**

**Not In Compliance**

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

**(13) An earthquake drill and a tornado drill shall be conducted during hours of operation:**

- (a) At least quarterly; and**
- (b) Documented.**

**Findings:**

General: Based on review of documentation and interview, the surveyor found there were no earthquake or tornado drills documented for July - September 2016 or October - December 2016. Upon interview, staff reported that the drills had been conducted but they did not locate the documentation at the time of the survey.

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

Signature of Provider/Representative

Title

Date