



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

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**Inspection Report**

<b>Provider Name:</b> Rainbow Child Care Center	<b>Provider Information</b>	<b>CLR No:</b> L383219
<b>Provider Address:</b> 5049 Madison Pike, Independence, KY, 41051	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 162
<b>Owner(s):</b> REE Midwest, Inc.		<b>Director(s):</b> Ely, Rachel

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 244922
<b>Date Initiated:</b> 06/28/2018 9:38 AM	<b>Date Concluded:</b> 06/28/2018 12:30 PM	
	<b>No. of Children Present:</b> 85	

<b>Inspection Report</b>	
<b>Background Checks</b>	<b>In Compliance</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>In Compliance</b>
<b>Employee Records</b>	<b>Not In Compliance</b>

**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General: Based on Review of Documentation, four (4) staff hired on 4/22/14 had TB skin documentation on file that was no longer current as of 2/11/18, 6/15/18, 6/16/18, and 6/24/18.

**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, it was found two (2) staff (hire dates: 3/20/17 and 10/4/17) completed orientation training past the ninety-day time frame. The training was completed on 6/7/18 and 6/8/18. Additionally, two (2) staff hired on 4/22/14 have not renewed the abusive pediatric head trauma training.

**Inspection Report**

**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 Interview, the director identified three (3) staff (the cook, a teacher, and the assistant director) who drive the 2005 Chevrolet Express Bus to transport children from school and on field trips. File review found two (2) of the staff had driving records on file but the documentation was no longer valid. The driving records presented for review were completed on 8/16/16 and 10/3/16. Additionally, on the day of the inspection the surveyor found the assistant director transported a group of children to the movies. File review found the assistant director did not have a driving history record for the surveyor to review. However, it is important to note the director presented documentation showing that a driving history record had been requested for the assistant director.

**Programming**

**In Compliance**

**Premises**

**Not In Compliance**

**560 - Building Requirements**

**Not In Compliance**

**922 KAR 2:120. Section 4. Premises Requirements.**  
**(5) The building shall be constructed to ensure the:**  
**(a) Building is:**  
**1. Dry;**  
**2. Ventilated; and**  
**3. Well lit, including clean light fixtures that are:**  
**a. In good repair in all areas; and**  
**b. Shielded or have shatter-proof bulbs installed; and**  
**(b) Following are protected:**  
**1. Windows;**  
**2. Doors;**  
**3. Stoves;**  
**4. Heaters;**  
**5. Furnaces;**  
**6. Pipes; and**  
**7. Stairs.**

**Findings:**

General: Based on Observation, the surveyor found the overhead light fixtures in the boys' restrooms located in Pre-K Academy and Varsity Classrooms did not contain protective covers. Additionally, the overhead light fixture in the girls' restroom located in the Varsity Classroom did not contain a protective cover. It is unknown if the light bulbs were shatter proof. It is important to note the other light fixtures found in other restrooms had protective covers.

**580 - 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, the surveyor noted there were several areas of chipped and peeling paint along the wall in the Pre-school #1 classroom. The surveyor noted there was purple paint showing through a couple of areas along the wall where the white paint was peeling. Additionally, the surveyor observed several areas of chipped paint along the wall located near the back door exit in the Toddler 3 classroom. The director stated she was aware the classrooms were in need of painting.

**650 - Toilet**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**  
**(4) Each toilet shall:**  
**(a) Be kept in clean condition;**  
**(b) Be kept in good repair;**  
**(c) Be in a lighted room; and**  
**(d) Have ventilation to outside air.**

**Findings:**

General: Based on Observation, the surveyor noted an overwhelming urine smell in the boys' restrooms located in the Pre-K Academy and Varsity classrooms. The surveyor found a discolored toilet lid that was not clean in the boys' restroom located in the Pre-K Academy. The toilet located in the boys' restroom located in the Varsity classroom contained urine and was dirty with a buildup of grime inside of the toilet bowl.

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**In Compliance**

**Inspection Report**

**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, the surveyor observed an opening at the bottom of the fence that presented an entrapment hazard on the Toddler 3 playground. The bottom of the fence did not meet the ground. The opening was large enough that would permit a toddler's head, feet, and hands to go through. The director stated she was aware of this issue and was planning on getting it corrected.

**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, the surveyor observed a broken hand-soap dispenser lying on top of the hand-washing sink located in the downstairs Pre-K Academy classroom. The director stated she was aware the soap dispenser was broken.

**Transportation**

**Not In Compliance**

**845 - Requirements for Transportation Services**

**Not In Compliance**

**922 KAR 2:120. Section 12. Transportation.**

- (2) A center providing or arranging transportation service shall:**
  - (a) Be licensed and approved by the cabinet or its designee prior to transporting a child;**
  - (b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and**
  - (c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children.**

**Findings:**

General: Based on Review of Documentation, within the transportation binder presented for review, the surveyor found a blank document labeled "Bus Evacuation Practice Drills". The surveyor found there was a procedure for staff to follow in case of needing to evacuate the bus, but it was unclear if the staff practice the procedure every month. The director indicated that drills were practiced during the school-year.

**890 - Vehicle Inspection Documentation**

**Not In Compliance**

**922 KAR 2:120. Section 12. Transportation.**

- (6) A vehicle used to transport children shall meet the following requirements:**
  - (a) For a twelve (12) or more passenger vehicle, the child-care center shall maintain a current certification of inspection from the Transportation Cabinet.**

**Findings:**

General: Based on Review of Documentation, the surveyor found the vehicle used to transport children from school and on field trips had not been inspected by the transportation cabinet since 2016. A review of documentation found the last inspection conducted of the 2005 Chevrolet Express Bus was completed by the Kenton County Sheriff's office on 8/19/16.

**Food Service/Food Program**

**In Compliance**

**Food Service**

**Not In Compliance**

**1030 - Frozen Food**

**Not In Compliance**

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

- (5) Frozen food shall be:**
  - (a) Kept at a temperature of zero degrees Fahrenheit or below; and**
  - (b) Thawed:**
    - 1. At refrigerator temperatures;**
    - 2. Under cool, potable running water;**
    - 3. As part of the cooking process; or**
    - 4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217.**

**Findings:**

General: Based on Observation, the surveyor found that there was no indicating thermometer in the freezer located in the Infant #2 classroom. The surveyor observed a bag of garlic bread and frozen meals inside of the freezer. The staff person stated the food stored in the freezer was for the day care children.

**Inspection Report**

**1035 - Food Contact Items**

**Not In Compliance**

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

**(6) Equipment, utensils, and surfaces contacting food shall be:**

- (a) Smooth;**
- (b) Free of breaks, open seams, cracks, and chips;**
- (c) Accessible for cleaning; and**
- (d) Nontoxic.**

**Findings:**

General: Based on Observation, the surveyor found an abundance of ice in the small refrigerator located in the Toddler #1 classroom. The ice was surrounding the small freezer compartment located inside of the refrigerator. The surveyor observed two (2) bags of breast milk that appeared to be stuck in the ice.

**Children's Records**

**In Compliance**

**Written Documentation**

**In Compliance**

**Posted Documentation**

**In Compliance**

**Animals**

**Not Applicable**

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Signature of  
Provider/Representative

Title

Date