



**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**

<b>Provider Name:</b> Ms. Tootie's Little Cuties	<b>Provider Information</b>	<b>License No:</b> L383224
<b>Provider Address:</b> 32 North Main Street, Walton, KY, 41094	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 40
<b>Owner(s):</b> Ms Tootie's Little Cuties, L.L.C.		<b>Director(s):</b> Flege, Dena Gail

<b>Inspection Type:</b> Investigation	<b>Inspection Information</b>	<b>Inspection No:</b> 191844
<b>Visit Start Date:</b> 08/19/2015 9:20 AM	<b>Visit End Date:</b> 08/19/2015 10:10 AM	
	<b>No. of Children Present:</b> 17	

**Inspection Report**

**Supervision**

**5 - Children Supervised**

**In Compliance**

**922 KAR 2:120. Section 2. Child Care Services.**

- (3)(a) Each center shall maintain a child-care program that assures each child will be:
1. Provided with adequate supervision at all times by a qualified staff person who:
    - a. Ensures the child is within scope of vision and range of voice; or
    - b. For a school-age child, within scope of vision or range of voice;

**Staffing Requirements**

**40 - Ratios and Group Size**

**In Compliance**

**922 KAR 2:120. Section 2. Child Care Services.**

- (2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:

**Age of Children Ratio Maximum Group Size\***

**Infant**

1 staff for 5 children 10

**Toddler**

1 staff for 6 children 12

**Preschool-age 2 to 3 years**

1 staff for 10 children 20

**Preschool-age 3 to 4 years**

1 staff for 12 children 24

**Preschool-age 4 to 5 years**

1 staff for 14 children 28

**School-age 5 to 7 years**

1 staff for 15 children 30

**School-age 7 and older**

1 staff for 25 children

**(for before and after school) 30**

1 staff for 20 children

**(full day of care) 30**

\*Maximum Group Size shall be applicable only to Type I child-care centers.

## Inspection Report

### Director Requirements

#### 275 - Caregiver Alone

Not In Compliance

##### 922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

(1) Effective with the adoption of this administrative regulation, a director shall:

(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;

##### Findings:

General: Based on Review of Documentation and observation, this regulatory requirement was not met. Upon arrival (9:20AM) the surveyor observed two (2) staff (hire dates: 4/21/15 and 8/6/15) working together with a group of children in the preschool classroom. A review of their employee files during the visit found that the staff person with a 4/21/15 hire date had a criminal records check (CRC) that had been submitted on 4/20/15; however, the results had not been obtained. The staff person with a 8/6/15 hire date had a CRC and a child abuse/neglect check (CAN) in her file that had been submitted for processing; however, the results had not been obtained. The surveyor observed these two (2) staff working together during the entire visit (9:20AM - 10:10AM). The staff person in charge stated during interview that she would have been working with them if the surveyor was not present; however, when the surveyor arrived at the facility, the staff person in charge was observed sitting in the facility office.

### Employee Records

#### 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 observation, this regulatory requirement was not met. Upon arrival (9:20AM) the surveyor observed two (2) staff (hire dates: 4/21/15 and 8/6/15) working together with a group of children in the preschool classroom. A review of their employee files during the visit found that the staff person with a 4/21/15 hire date had a criminal records check (CRC) that had been submitted on 4/20/15; however, the results had not been obtained. The staff person with a 8/6/15 hire date had a CRC and a child abuse/neglect check (CAN) in her file that had been submitted for processing; however, the results had not been obtained. The surveyor observed these two (2) staff working together during the entire visit (9:20AM - 10:10AM). The staff person in charge stated during interview that she would have been working with them if the surveyor was not present; however, when the surveyor arrived at the facility, the staff person in charge was observed sitting in the facility office.

#### 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, one (1) staff file (hire date: 4/21/15) did not contain evidence of the six (6) hours of cabinet-approved training being completed within the first three (3) months of employment.

### Hygienic Practices

#### 595 - Child Personal Care/Handwashing

Not In Compliance

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

(4) A child shall:

(a) Be helped with personal care and cleanliness based upon their developmental skills; and

(b) Wash his or her hands with liquid soap and warm running water:

1. a. Upon arrival at the center; or
- b. Within thirty (30) minutes of arrival for school-age children;
2. Before and after eating or handling food;
3. After toileting or diaper change;
4. After handling animals;
5. After wiping or blowing nose;
6. After touching items soiled with body fluids or wastes; and
7. After outdoor or indoor play time.

##### Findings:

General: Based on Observation and interview, this regulatory requirement was not met. At the time of the visit the surveyor observed a group of twelve (12) children (two (2) - four (4) year olds) playing in the classroom and then go straight to the tables in the eating area to eat snack without washing their hands. Furthermore, when this group of children finished eating snack, the surveyor observed them go to the playground without washing their hands. The staff person in charge stated that they use hand sanitizer on the children's hands before meal time; however, this process does not meet the requirement of the regulation.

## Inspection Report

### Written Documentation

#### 1095 - Daily Attendance Records

Not In Compliance

##### 922 KAR 2:110. Section 3. Records.

##### (1) A child-care center shall maintain:

(c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;

##### Findings:

General: Based on Review of Documentation and interview, this regulatory requirement was not met. A review of the sign in and out sheets during the investigation found that arrival and departure times are not consistently being documented. The surveyor observed seventeen (17) children present at the facility on 8/15/15; however, only eight (8) children had an arrival time documented. The staff person in charge revealed during interview that six (6) additional children were present at the facility earlier in the day for a short period of time, prior to getting on the bus to go to school. Therefore, arrival times had not been documented for a total of fifteen (15) children. A review of the facility sign in/out sheets for the week of 8/10/15 - 8/14/15 found fifteen (15) children that had either an arrival time or a departure time listed, but did not have both.

Signature of  
Provider/Representative

Title

Date