



**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  
Eastern Branch  
455 Park Place, Suite 120A  
Lexington, KY 40511

**Adam Mather**  
INSPECTOR GENERAL

Phone: (859) 246-2301 Fax: (859) 246-2307  
<https://chfs.ky.gov/agencies/os/oig>

**Inspection Report**

<b>Provider Name:</b> YMCA Afterschool at James Lane Allen	<b>Provider Information</b> <b>Provider Type:</b> LICENSED TYPE I	<b>CLR No:</b> L355266
<b>Provider Address:</b> 1901 Appomattox Road, Lexington, KY, 40504		<b>Capacity:</b> 150
<b>Owner(s):</b> Young Men's Christian Association Of Central Kentucky, Inc.		<b>Director(s):</b> Thakur, Adrienne August - Godfrey

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 293500
<b>Date Initiated:</b> 03/09/2020 2:15 PM	<b>Date Concluded:</b> 03/09/2020 3:39 PM	
	<b>No. of Children Present:</b> 31	

Inspection Report	
Background Checks	Not In Compliance
<b>5 - Background check/left alone/dismissed/relocated</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280. Section 3. Implementation and Enforcement.</b>                      (1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.                      (2) A child care staff member hired on or after April 1, 2018, shall:                      (a) Have completed the background checks required in accordance with this administrative regulation and been found to have no disqualifying offense prior to becoming a child care staff member; or                      (b)1. Have submitted to the background checks required in accordance with this administrative regulation;                      2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and                      3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p> <p><b>Findings:</b>                      General: Based on review of documentation, one staff member with an unknown date of hire did not have evidence of submitting fingerprints for the National Background Check Program. The individual had cleared the Kentucky and National Sex Offender screening, but the KARES portal reflects that the application was withdrawn on 12/11/19. There was no evidence in the employee's file, nor reflected on the KARES portal that this individual had submitted fingerprints for the National Background Check service. The surveyor did not observe this staff member working alone.</p>	
<b>15 - Submit fingerprints</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280. Section 4. Procedures and Payments.</b>                      (4)(a) Upon submission of payment in accordance with subsections (2) and (3) of this section, the child care provider shall print a copy of the DCC-504, Applicant Child Care Staff Member Live Scan Fingerprinting Form, from the NBCP portal and provide the form to the child care staff member.                      (b) The child care staff member shall:                      1. Have no more than ninety (90) calendar days from the date of payment pursuant to subsections (2) and (3) of this section to submit the child care staff member's fingerprints at an authorized collection site for NBCP; and                      2. Present the DCC-504 and driver's license or other government-issued photo identification to the designated agent at an authorized collection site prior to fingerprint submission.</p> <p><b>Findings:</b>                      General: Based on observation, interview and review of documentation, one staff member with an unknown date of hire did not have evidence of submitting fingerprints for the National Background Check Program. The individual had cleared the Kentucky and National Sex Offender screening, but the KARES portal reflects that the application was withdrawn on 12/11/19. There was no evidence in the employee's file, nor reflected on the KARES portal that this individual had submitted fingerprints for the National Background Check service. The surveyor did not observe this staff member working alone.</p>	

**Inspection Report**

**Supervision**

**In Compliance**

**Staffing Requirements**

**In Compliance**

**General Administration**

**In Compliance**

**Director Requirements**

**Not In Compliance**

**340 - Staff Meeting**

**Not In Compliance**

**922 KAR 2:090. Section 10. Director Requirements and Responsibilities.**

**(1) A director shall:**

**(i) Conduct, manage, and document in writing recurring staff meetings;**

**Findings:**

General: Based on interview and review of documentation, there was no written documentation of staff meetings available for review. The staff person in charge stated that the staff meetings had been conducted, but she did not have the documentation at the facility.

**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, the children placed their personal belongings into laundry baskets lined against a wall; several of the children's coats and jackets protruded from the baskets and touched one another. This method of storage promotes cross contamination of germs.

**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 interview and review of documentation, one staff member with an unknown date of hire did not have a personnel file available for review. The staff person stated that she believes that her file is kept at the YMCA Central office. The following documents were not maintained at the facility for this individual: date of employment, proof of educational qualifications, documentation of compliance with tuberculosis screening, and results of National background check. The surveyor searched this individual on the KARES portal and noted that the application was withdrawn on 12/11/2019, after clearing the Kentucky and National Sex Offender search as well as the Kentucky Child Abuse Network Registry. The surveyor did not see any evidence that the staff member's fingerprints had been submitted to the National Background Check Service for analysis. The surveyor did not observe this staff member to be working alone.

**390 - Educational Requirements**

**Not In Compliance**

**922 KAR 2:090. Section 11. Staff Requirements.**

**(1) Child-care center staff:**

**(a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a:**

**1. High school diploma;**

**2. GED or qualifying documentation from a comparable educational entity; or**

**3. Commonwealth Child Care Credential as described in 922 KAR 2:250;**

**Findings:**

General: Based on review of documentation, one staff member with an unknown hire date did not have proof of educational qualifications available for review.

**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, one staff person with an unknown date of hire did not have an employee file available for review. The facility was unable to present a physician's statement clearing this individual of active tuberculosis, or a negative tuberculin skin result.

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, one staff member completed one out of fifteen hours of cabinet-approved early care and education training for the last full year of employment. A review of ECE-Tris supports this finding.

Programming

In Compliance

Premises

In Compliance

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

715 - First Aid Supplies

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

- (1) First aid supplies shall:
- (a) Be available to provide prompt and proper first aid treatment;
  - (b) Be stored out of reach of a child;
  - (c) Be periodically inventoried to ensure the supplies have not expired;
  - (d) If reusable, be:
    - 1. Sanitized; and
    - 2. Maintained in a sanitary manner; and
  - (e) Include:
    - 1. Liquid soap;
    - 2. Adhesive bandages;
    - 3. Sterile gauze;
    - 4. Medical tape;
    - 5. Scissors;
    - 6. A thermometer;
    - 7. Flashlight;
    - 8. Cold pack;
    - 9. First aid book;
    - 10. Disposable gloves; and
    - 11. A cardiopulmonary resuscitation mouthpiece protector.

Findings:

General: Based on observation, the first aid kit did not contain a flashlight, cold pack, or a first aid instruction booklet.

Outdoor Play Area

In Compliance

Equipment

In Compliance

Transportation

In Compliance

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, there was not a menu posted or available for review detailing the food components served.

Inspection Report

Children's Records

Not In Compliance

1135 - Immunization

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;

Findings:

General: Based on review of documentation, three children did not have an immunization record on file.

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 observation, one child did not have enrollment information available for review including: parent contact, family physician contact, preferred hospital, authorized pick-up, medical history, permission to seek emergency care, and identifying information. The surveyor was unable to verify if the child had been enrolled more than 30 days, and therefore would be required to maintain an immunization record. The child was present at the facility during the inspection.

Written Documentation

Not In Compliance

1150 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

Findings:

General: Based on review of documentation, the evacuation plan reviewed was not dated and did not have evidence of being submitted to the local emergency management authority. Additionally, the form was incomplete.

Posted Documentation

Not In Compliance

1200 - Posting Requirements

Not In Compliance

922 KAR 2:090. Section 8. General.

(6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:

- (a) The provider's preliminary or regular license;
(b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
(c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
(d) Information on the Kentucky Consumer Product Safety Program and the program's Website as specified in KRS 199.897;
(e) A description of services provided by the child-care center, including:
1. Current rates for child care; and
2. Each service charged separately and in addition to the basic rate for child care;
(f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
(g) Daily planned program.

Findings:

General: Based on observation and interview, the facility license was not posted or available for review. The staff person in charge stated that she believes that the original is located at the YMCA central office.

Animals

In Compliance

Signature of Provider/Representative

Title

Date