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**Inspection Report**

<b>Provider Name:</b> P. J.'s Primary Care Center, Inc. #1	<b>Provider Information</b>	<b>CLR No:</b> L355637
<b>Provider Address:</b> 327 Clifty Street, Somerset, KY, 42501	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 131
<b>Owner(s):</b> P.J.'S PRIMARY CARE CENTER, INC.		<b>Director(s):</b> Dick, Atavia Joyce

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 319103
<b>Date Initiated:</b> 11/22/2021 2:30 PM	<b>Date Concluded:</b> 11/22/2021 5:40 PM	
	<b>No. of Children Present:</b> 39	

Inspection Report

Background Checks

Not In Compliance

30 - Disqualifying background check result

Not In Compliance

922 KAR 2:280. Section 6. Disqualifying Background Check Results.

(1) Unless a rehabilitative review pursuant to Section 9 of the administrative regulation determines the individual is eligible to be hired, an individual shall be ineligible to:

(a) Be hired or otherwise serve as a child care staff member if the individual:

- 1. Meets a criterion specified in 45 C.F.R. 98.43(c);
2. Has been convicted of, or has entered an Alford plea, a plea of guilty, or a plea of nolo contendere to,;
a. A drug-related felony, and five (5) years has not elapsed since the person was fully discharged from imprisonment, probation, or parole;
b. A sex or violent crime pursuant to KRS 17.165; or
c. A felony offense under:
(i) KRS Chapter 506, inchoate offenses;
(ii) KRS Chapter 511, burglary and related offenses;
(iii) KRS Chapter 515, robbery;
(iv) KRS Chapter 520, escape and other offense related to custody;
(v) KRS Chapter 525, riot, disorderly conduct, and related offenses;
(vi) KRS Chapter 527, offense relating to firearms and weapons;
(vii) KRS Chapter 529, prostitution offenses; or
(viii) KRS Chapter 530, family offenses;
3. Is listed on:
a. The central registry established in accordance with 922 KAR 1:470; or
b. Another state's state-based child abuse and neglect registry or database;
4. Has been convicted of, or has entered an Alford plea, plea of guilty, or a plea of nolo contendere to, an offense under a criminal statute of the United States or of another state similar to an offense specified in this paragraph;
5. Has an open warrant;
6. Has a criminal background check result indicating that the individual should be approached with caution by authorities; or
7. Has a pending charge for a criminal offense specified in this paragraph; or

(b) Serve as a child-care center's applicant, licensee, or director if the individual has been convicted of, or has entered an Alford plea, a plea of guilty, or a plea of nolo contendere to, a felony offense involving fraud, embezzlement, theft, or forgery.

(2) An individual who has received a pardon for a disqualifying offense, has had the record expunged, or has evidenced dismissal of a warrant or disqualifying charge may serve as a child care staff member.

Findings:

General: Based on review of documentation, the surveyor found that a staff's (DOH:5/24/21) file did not contain documentation of background check completed through the Kentucky National Background Check Service. Staff-in-charge stated that the staff member's information was submitted to the Kentucky National Background Check Service and her fingerprints were submitted; however, the staff member had a prior criminal charge on her record that resulted in a determination of "Not Eligible" for employment. Staff-in-charge stated that the criminal charge was supposed to be expunged from the staff's record; however, the charge remains on the staff's criminal record. Staff-in-charge stated that herself and the staff member contacted someone with the court system who advised that the criminal charge had been expunged. Staff-in-charge stated that on 9/8/21, the staff's information was re-submitted to the Kentucky National Background Check Service. Staff-in-charge provided the surveyor with a receipt dated 10/21/21 indicating that the staff's fingerprints were submitted; however, she stated that the results from the fingerprints have not returned. Staff-in-charge believes that the criminal charge was supposed to be expunged resulting in a hold on the fingerprint process. The KARES report printed by the surveyor on 11/22/21 lists the staff's "Determination Status" as "Pending Employee" and does not indicate a "Fingerprint Taken Date". The surveyor observed the staff person working alone with children. Staff-in-charge reported the staff has worked alone with children. Staff-in-charge confirmed that the staff person was hired on 5/24/21. A Child Abuse/Neglect Background Check was completed 4/13/21 and Criminal Records Background Check was completed 4/27/21.

Supervision

In Compliance

Staffing Requirements

In Compliance

General Administration

Not In Compliance

225 - Licensee Responsibility

Not In Compliance

922 KAR 2:090. Section 8. General.

(1) A licensee shall:

- (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and
(b) Protect and assure the health, safety, and comfort of each child.

Findings:

General: Based on observation, the surveyor discovered the following:

- 1. A toilet plunger was placed on the floor next to the toilet in the Preschool-Overflow Restroom.
2. A dustpan was placed on the floor near the sink in the Preschool-Overflow Restroom.

Therefore, the items were accessible to the children and caused a potential health and safety issue for the children.

**Inspection Report**

**Director Requirements**

**Not In Compliance**

**370 - Caregiver Alone**

**Not In Compliance**

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

**(1) A director shall:**

**(m) 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 922 KAR 2:280;**

**Findings:**

General: Based on review of documentation, the surveyor found that a staff's (DOH:5/24/21) file did not contain documentation of background check completed through the Kentucky National Background Check Service. Staff-in-charge stated that the staff member's information was submitted to the Kentucky National Background Check Service and her fingerprints were submitted; however, the staff member had a prior criminal charge on her record that resulted in a determination of "Not Eligible" for employment. Staff-in-charge stated that the criminal charge was supposed to be expunged from the staff's record; however, the charge remains on the staff's criminal record. Staff-in-charge stated that herself and the staff member contacted someone with the court system who advised that the criminal charge had been expunged. Staff-in-charge stated that on 9/8/21, the staff's information was re-submitted to the Kentucky National Background Check Service. Staff-in-charge provided the surveyor with a receipt dated 10/21/21 indicating that the staff's fingerprints were submitted; however, she stated that the results from the fingerprints have not returned. Staff-in-charge believes that the criminal charge was supposed to be expunged resulting in a hold on the fingerprint process. The KARES report printed by the surveyor on 11/22/21 lists the staff's "Determination Status" as "Pending Employee" and does not indicate a "Fingerprint Taken Date". The surveyor observed the staff person working alone with children. Staff-in-charge reported the staff has worked alone with children. Staff-in-charge confirmed that the staff person was hired on 5/24/21. A Child Abuse/Neglect Background Check was completed 4/13/21 and Criminal Records Background Check was completed 4/27/21.

**Employee Records**

**In Compliance**

**Programming**

**In Compliance**

**Premises**

**Not In Compliance**

**585 - Premises Requirements**

**Not In Compliance**

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

**(1) The premises shall be:**

- (a) Suitable for the purpose intended;**
- (b) Kept clean and in good repair;**

**Findings:**

General: Based on observation, the surveyor discovered the following:

1. Dirt/debris on the black rug located at the door of the School-Age Classroom.
2. Dirt/debris on the black rug located at the door of the Preschool Classroom.
3. Dirt/debris on the black rug located at the door of the Preschool-Overflow Classroom.

Therefore, the premises was not kept clean and in good repair.

**695 - Toilet**

**Not In Compliance**

**922 KAR 2:120. Section 12. 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 found the following:

1. The toilet seat was loose on a toilet located in the School-Age Classroom Restroom.
2. A yellow substance in the toilet bowl of the Preschool Classroom Restroom.

Therefore, the toilet was not kept clean and in good repair.

**Inspection Report**

**Hygienic Practices**

**Not In Compliance**

**730 - Diaper Changing Area/Surface**

**Not In Compliance**

**922 KAR 2:120. Section 12. 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, the surveyor found the following:

- 1. Debris under the diaper changing pad located on the diaper changing table in the Younger-Ones Classroom.
- 2. Debris under the diaper changing pad located on the diaper changing table in the Infant Classroom.
- 3. The diaper changing pad in the Infant Classroom contained rips/tears.

Therefore, the diaper changing surface was not clean and free of rips/tears.

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**Not In Compliance**

**795 - 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 found the following:

- 1. Briars growing through the school age playground fence.
- 2. Poke plants containing poke berries were within reach of the children and growing over the school age playground fence.
- 3. A red & blue teeter-totter was missing a seat.
- 4. One (1) tricycle had a broken wheel.
- 5. The top of a plastic play structure was broken exposing sharp edges.

Therefore, the playground was not well maintained.

**Equipment**

**In Compliance**

**Transportation**

**In Compliance**

**Kitchen Requirements**

**In Compliance**

**Food Service**

**In Compliance**

**Meal Planning/Center Provides Meals**

**In Compliance**

**Meal Planning/Center Does Not Provide Meals**

**In Compliance**

**Children's Records**

**In Compliance**

**Written Documentation**

**In Compliance**

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

Signature of Provider/Representative

Title

Date