



**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> Baby's Day Inn Day Care	<b>Provider Information</b>	<b>CLR No:</b> L356196
<b>Provider Address:</b> 909 Prestonsburg Street, West Liberty, KY, 41472	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 49
<b>Owner(s):</b> Price, Angie & Howell, Nalma Kay		<b>Director(s):</b> Howell, Nalma Kay

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 306729
<b>Date Initiated:</b> 05/12/2021 11:00 AM	<b>Date Concluded:</b> 05/12/2021 1:00 PM	
	<b>No. of Children Present:</b> 17	

Inspection Report	
<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>Not In Compliance</b>

**210 - 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 found a plastic bag laying on the diaper changing mat with a soiled diaper placed in it; therefore, the health, safety, and comfort of the children was compromised.

**Director Requirements** **Not In Compliance**

**345 - Staff Evaluation** **Not In Compliance**

**922 KAR 2:090. Section 10. Director Requirements and Responsibilities.**  
**(1) A director shall:**  
**(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;**

**Findings:**

General: Based on review of documentation, the surveyor found the following:

1. A staff's (DOH: 08/20/11) file contained a written performance evaluation dated for 03/21/18; therefore, the evaluation was not completed annually.
2. A staff's (DOH: 03/31/14) file did not contain a written performance evaluation; therefore, the evaluation was not completed annually.

Through interview with staff-in-charge, the surveyor learned that up-to-date annual written performance evaluations were not available for review for the staff mentioned.

**Inspection Report**

**Employee Records**

**Not In Compliance**

**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 observation, the surveyor found that one (1) staff (DOH: 03/31/14) file did not contain documentation of a current TB skin test. During interview, staff-in-charge stated that the staff person should have an updated TB skin test; however, she could not locate the documentation. Staff-in-charge stated that the staff person had a COVID19 vaccination over four (4) weeks ago.

**Programming**

**Not In Compliance**

**480 - Infant/Toddler Combined with Older Children**

**Not In Compliance**

**922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.**

- (2) Except in accordance with subsection (3) of this section or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day.**
- (3) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if:**
  - (a) Space for the toddler is available in the preschool-age group;**
  - (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;**
  - (c) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and**
  - (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.**

**Findings:**

General: Based on interview, the surveyor learned that one (1) two-year-old child was in the same classroom as the three- and four-year-old children. Through interview with staff-in-charge, the surveyor learned that the child had been in the mixed-age group for longer than one (1) hour. Staff-in-charge also stated that she had a transition plan for the two-year-old child; however, she could not locate the documentation.

**Premises**

**Not In Compliance**

**520 - Inaccessible Items**

**Not In Compliance**

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

- (7) The following shall be inaccessible to a child in care:**
  - (a) Toxic cleaning supplies, poisons, and insecticides;**
  - (b) Matches, cigarettes, lighters, and flammable liquids; and**
  - (c) Personal belongings and medications of staff.**

**Findings:**

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

1. A bottle of Equate Clear Liquid Hand Soap placed on the sink in the second restroom that stated "Keep Out of the Reach of Children" on the back of the bottle.
2. A mop bucket with dirty water inside it that was placed beside a sink that is located next to the diaper changing table.
3. A mop, broom, and dust pan placed in between the first and second restrooms.
4. A green plastic stick attachment, Swiffer, and shovel placed beside the exit door outside on the playground.
5. An ashtray with a cigarette butt inside of it placed beside the exit door outside on the playground.
6. Two (2) brooms, a small vacuum, and a mop placed out in the open near the Infant Classroom.
7. A purse that was placed out in the open on a half wall by the Infant Classroom. Through interview with staff-in-charge, the surveyor learned that the purse belonged to a staff person.

The items mentioned were observed to be within reach and accessible to the children.

**540 - 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 found a blue square rug in the Infant Classroom that contained stains; therefore, the rug was not kept clean. During interview, staff-in-charge stated that she spot cleans the rugs at the end of each week.

Inspection Report

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 found that the toilet seat moved easily and was not tightly secured to the toilet in the first and second restrooms located near the back exit door.

Hygienic Practices

Not In Compliance

685 - 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, the surveyor found debris on the diaper changing table underneath the diaper changing pad; therefore, the diaper changing surface was not clean.

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

745 - 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, the surveyor found two (2) green child sized plates laying on a picnic table, one (1) green child sized plate and one (1) sippy cup handle attachment laying on the concrete by the picnic table. Staff-in-charge stated that the children play with the green plates; however, she would remove them from the playground.

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 of the playground, the surveyor found a black line dangling from the roof of the child-care center that was located on the side of the building in front of the meter. The black line appeared to be connected on the roof and was observed to be within reach and accessible to the children; therefore, the playground was not safe from foreseeable hazard.

During interview, staff-in-charge stated that she was not aware of the black line dangling from the roof and was unsure what the line is connected too. Staff-in-charge also stated that she would have the black line fixed to not be accessible to the children as soon as possible.

**Inspection Report**

**755 - 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, the surveyor found the following:

- 1. The protective surface around two (2) pink and purple small playground structures with slides attached to them was depleted with grass growing through it.
- 2. No protective surface under or around a red and orange small playground structure with a slide.

**Equipment**

**In Compliance**

**Transportation**

**In Compliance**

**Food Service/Food Program**

**In Compliance**

**Food Service**

**In Compliance**

**Children's Records**

**In Compliance**

**Written Documentation**

**Not In Compliance**

**1170 - Professional Development**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

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

**(f) A written annual plan for child-care staff professional development;**

**Findings:**

General: Based on review of documentation, the surveyor found the following:

- 1. A staff's (DOH: 08/09/10) file contained a professional development plan dated for 02/06/18; therefore, the plan was not completed annually.
- 2. A staff's (DOH: 03/10/03) file contained a professional development plan dated for 02/06/18; therefore, the plan was not completed annually.
- 3. A staff's (DOH: 11/20/98) file contained a professional development plan dated for 02/06/18; therefore, the plan was not completed annually.
- 4. A staff's (DOH: 08/20/11) file contained a professional development plan dated for 03/21/18; therefore, the plan was not completed annually.
- 5. A staff's (DOH: 09/24/19) file did not contain a professional development plan; therefore, the plan was not completed annually.

Through interview with staff-in-charge, the surveyor learned that up-to-date annual professional development plans were not available for review for the staff mentioned.

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

**Emergency Regulation**

**Not Applicable**

Signature of Provider/Representative

Title

Date