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**Inspection Report**

<b>Provider Name:</b> Wendy's Wonderland Inc. III	<b>Provider Information</b>	<b>CLR No:</b> L383471
<b>Provider Address:</b> 4996 S. Hwy 27, Somerset, KY, 40251	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 49
<b>Owner(s):</b> Wendy's Wonderland, Inc.		<b>Director(s):</b> Casada, Erica

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 217711
<b>Date Initiated:</b> 12/14/2016 10:30 AM	<b>Date Concluded:</b> 12/14/2016 1:50 PM	
	<b>No. of Children Present:</b> 10	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance

**265 - Health, Safety, Comfort** **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:**  
**(l) Provide for the health, safety, and comfort of each child;**

**Findings:**

General: Based on observation during a tour of the childcare center the surveyor found the following:

1. A surge protector was on the floor protruding out from behind a desk. Three (3) of the outlets were unprotected. The surge protector was accessible to children; therefore, creating a safety risk.
2. A thirty-two (32) inch flat panel TV was sitting on a low desk. The TV was not mounted on a stand and was leaning against the wall. The TV was accessible to children; therefore, creating a safety risk.
3. From the preschool classroom, the surveyor observed a roach to be crawling on the door leading to the kitchen. The roach was in the presence of the children; therefore, creating a health risk.

**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 observation, the surveyor found that a new criminal records check (CRC) or a new child abuse/neglect check (CAN) had not been completed for a staff member with a rehire date of 04/11/16. Based on observation and an interview with the director, the surveyor was informed that the staff member has been working alone with children. The surveyor was also informed that a new CRC and CAN check was completed but were not at the center for review.

**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, the surveyor found the following:

1. A child abuse/neglect check (CAN) has not been completed on an employee (DOH: 11/7/16). In an interview with the director, the surveyor was informed that the employee is under the age of 18, is not counted in the child/staff ratio, and is never alone with the children.
2. A new criminal records check (CRC) or a new child abuse/neglect check (CAN) had not been completed for a staff member with a rehire date of 04/11/16. Based on observation and an interview with the director, the surveyor was informed that the staff member has been working alone with children.

**310 - Personnel File**

**Not In Compliance**

**922 KAR 2:110. Section 3. 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. Written record of training participation to include:**
  - a. The training source;**
  - b. Location;**
  - c. Date; and**
  - d. Number of clock hours completed;**
- 5. Every two (2) years, a:**
  - a. Statement from a health professional that the individual is free of active tuberculosis; or**
  - b. Copy of negative tuberculin results; and**
- 6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:**
  - a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
  - b. Criminal records check required by KRS 199.896(19);**
  - c. Criminal records check from any previous state of residence completed once if:**
    - (i) The individual resided outside the state of Kentucky in the last five (5) years; and**
    - (ii) No criminal records check has been completed for the individual's previous state of residence; and**
  - d. An address check of the Sex Offender Registry;**

**Findings:**

General: Based on review of documentation, three (3) staff member's (All with a DOH: 09/21/15) files were not available for review. In an interview with the director the surveyor was informed that the staff member's files were at another location.

**315 - Educational Requirements**

**Not In Compliance**

**922 KAR 2:110. Section 5. 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, the surveyor found the following:

1. A staff member's (DOH: 05/05/16) file did not contain verification that the staff member is currently enrolled in high school.
2. A staff member's (DOH: 11/07/16) file did not contain verification that the staff member is currently enrolled in high school.

**320 - TB Verification**

**Not In Compliance**

**922 KAR 2:110. Section 5. 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, the surveyor found the following:

- 1. A staff member's (DOH: 09/20/16) file did not contain a current negative TB skin test result.
- 2. A staff member's (DOH: 12/12/16) file did not contain a current negative TB skin test result.
- 3. A staff member's (DOH: 11/07/16) file did not contain a current negative TB skin test result.
- 4. A staff member's (DOH: 12/12/16) file did not contain a current negative TB skin test result.
- 5. A staff member's (DOH: 07/13/15) file contained a negative TB skin test that was no longer current as of 09/08/16.

**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, the surveyor found the following:

- 1. A staff member (DOH: 07/13/15) did not complete a total of nine (9) hours of approved training as required in the first year of employment. A review of ECE-TRIS found that the staff member had obtained one and one half (1 ½) hours of training during their annual training year of 7/13/15-7/12/16. A review of the staff members file found no additional training documentation.
- 2. A staff member (DOH: 09/21/15) did not complete a total of nine (9) hours of approved training as required in the first year of employment. A review of ECE-TRIS found that the staff member had obtained six (6) hours of training during their annual training year of 9/21/15-9/20/16. The staff members file was not available for review at the time of the survey.
- 3. A staff member (DOH: 09/21/15) did not complete a total of nine (9) hours of approved training as required in the first year of employment. A review of ECE-TRIS found no additional training documentation. The staff members file was not available for review at the time of the survey.

**Programming**

**In Compliance**

**Premises**

**Not In Compliance**

**460 - Inaccessible Items**

**Not In Compliance**

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

**(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:**

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Knives and sharp objects;**
- (c) Matches, cigarettes, lighters, and flammable liquids;**
- (d) Plastic bags;**
- (e) Litter and rubbish;**
- (f) Bar soap; and**
- (g) Personal belongings and medications of staff.**

**Findings:**

General: Based on observation, during the survey of the boys' restroom the surveyor found a plunger had been placed next to the toilet. The plunger was accessible to children.

**510 - Pest Control**

**Not In Compliance**

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

**(7) Measures shall be utilized to control the presence of:**

- (a) Rodents;**
- (b) Flies;**
- (c) Roaches; and**
- (d) Other vermin.**

**Findings:**

General: Based on observation, from the preschool classroom, the surveyor observed a roach to be crawling on the door leading into the kitchen. Inside the kitchen, the surveyor observed that two (2) Orkin pest control traps had been placed in the floor.

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**In Compliance**

**Inspection Report**

**Outdoor Play Area**

**Not In Compliance**

**685 - 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, of the childcare center playgrounds, the surveyor found the following:

- 1. An empty, plastic, mulch bag was located on the playground in front of the childcare center.
- 2. Several Styrofoam cups were located near the fence on the playground located behind the childcare center.

**690 - 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 childcare center playground located behind the building, the surveyor found the following:

- 1. Three (3) Little Tikes climbing structures with slides were broken apart and lying on the ground.
- 2. The lining under the mulch was exposed in three (3) areas around two (2) climbing structures.

**Equipment**

**Not In Compliance**

**750 - Individual Bedding Storage**

**Not In Compliance**

**922 KAR 2:120. Section 6. Sleeping and Napping Requirements.**

**(9) Individual bedding shall be stored in a sanitary manner.**

**Findings:**

General: Based on observation, during a tour of the preschool classroom, the surveyor observed several children's blankets had been placed together where cots are stored; therefore, the children's items were touching and were not being stored separately.

**755 - Toys/Equipment/Furniture**

**Not In Compliance**

**922 KAR 2:120. Section 11. Toys and Furnishings.**

**(1) All toys, equipment, 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, during a tour of the childcare center the surveyor found the following:

- 1. A rug located in the school-age classroom was soiled with several dark spots.
- 2. A rug located in the preschool classroom was soiled with several dark spots.
- 3. Three (3) out of the four (4) high chairs located in the one-year-old classroom were not equipped with safety harnesses.
- 4. Three (3) out of the four (4) high chairs located in the one-year-old classroom had an unknown substance dried on the trays and food crumbs in the seats.
- 5. None of the three (3) high chairs located in the infant classroom were equipped with safety harnesses.

**Transportation**

**Not Applicable**

**Food Service**

**In Compliance**

**Children's Records**

**Not In Compliance**

**1070 - Immunization**

**Not In Compliance**

**922 KAR 2:110. Section 3. 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, a child's (DOE: 08/12/16) file contained an immunization certificate that is no longer current as of 11/3/16.

**Written Documentation**

**In Compliance**

**Inspection Report**

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

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Signature of Provider/Representative

Title

Date