



**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> Wendy's Wonderland Inc. III            | <b>Provider Information</b>           | <b>CLR No:</b> L383471                  |
| <b>Provider Address:</b> 4996 S. Hwy 27, Somerset, KY, 42501 | <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 Marie |

|   |   |                              |
|---|---|------------------------------|
| <b>Inspection Type:</b> Renewal Application | <b>Inspection Information</b>             | <b>Inspection No:</b> 242665 |
| <b>Date Initiated:</b> 12/20/2017 11:10 AM  | <b>Date Concluded:</b> 12/20/2017 3:30 PM |                              |
|   | <b>No. of Children Present:</b> 21        |                              |

| Inspection Report   |                          |
|---|--------------------------|
| <b>Supervision</b>  | <b>In Compliance</b>     |
| <b>Staffing Requirements</b>  | <b>In Compliance</b>     |
| <b>General Administration</b>   | <b>Not In Compliance</b> |
| <b>75 - Liability Insurance</b>   | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:090. Section 6. License Issuance.</b></p> <p><b>(11) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</b></p> <p><b>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</b></p> <p><b>Findings:</b></p> <p>General: Based on review of documentation, the surveyor found that the childcare center's liability insurance was no longer current as of 06/01/16.</p>   |                          |
| <b>Director Requirements</b>  | <b>Not In Compliance</b> |
| <b>260 - Staff Evaluation</b>   | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b></p> <p><b>(1) Effective with the adoption of this administrative regulation, a director shall:</b></p> <p><b>(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;</b></p> <p><b>Findings:</b></p> <p>General: Based on review of documentation, the surveyor found that the file for a staff (DOH: 11/02/15) contained an employee performance evaluation dated 01/18/16. A 2017 employee evaluation was not available for review.</p>  |                          |
| <b>265 - Health, Safety, Comfort</b>  | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b></p> <p><b>(1) Effective with the adoption of this administrative regulation, a director shall:</b></p> <p><b>(l) Provide for the health, safety, and comfort of each child;</b></p> <p><b>Findings:</b></p> <p>General: Based on observation during a tour of the childcare center, the surveyor found the following:</p> <ol style="list-style-type: none"> <li>1. A toddler-age child was sitting in a high chair in the Infant and Toddler Room. The child was not secured with the safety straps.</li> <li>2. An unsecured television was placed on a cart, that was approximately three (3) feet high, located in the School-age Room. The unsecured television presented a safety risk to the children.</li> <li>4. A toilet plunger was observed in an unlocked cabinet located under the sink in the restroom used by the school-age children. The plunger was accessible to the children.</li> </ol> |                          |

**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 that a staff's (DOH: 10/23/17) file did not contain verification of a High School Diploma, GED or Commonwealth Child Care Credential.

**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's (DOH: 09/21/15) file contained a copy of a negative tuberculin result that was no longer current as of 08/10/17.
2. A staff's (DOH: 04/11/16) file contained a copy of a negative tuberculin result that was no longer current as of 03/12/17.
3. A staff's (DOH: 11/02/15) file contained a copy of a negative tuberculin result that was no longer current as of 11/24/17.

**330 - Adequate Substitute(s)**

**Not In Compliance**

**922 KAR 2:110. Section 5. Staff Requirements.**

**(6) Child-care centers shall have available in case of need:**

- (a) One (1) qualified substitute staff person for a Type II child-care center; or**
- (b) Two (2) qualified substitute staff persons for a Type I child-care center.**

**Findings:**

General: Based on review of documentation, the surveyor found that the Type I childcare center has two (2) substitute staff persons in the case of need. However, only one (1) substitute staff meets qualifications based on lack of annual training hours and lack of a current negative tuberculin result.

**335 - Qualified Substitute**

**Not In Compliance**

**922 KAR 2:110. Section 5. Staff Requirements.**

**(7) Each qualified substitute staff person shall:**

- (a) Meet the staff requirements of this administrative regulation; and**
- (b) Provide the required documentation to verify compliance with this administrative regulation.**

**Findings:**

General: Based on review of documentation, the surveyor found that the Type I childcare center has two (2) substitute staff persons in the case of need. However, only one (1) substitute staff meets qualifications based on lack of annual training hours and lack of a current negative tuberculin result.

**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 and ECE-TRIS, the surveyor found the following:

1. No verification was found that a staff (DOH: 09/21/15) obtained any hours of cabinet-approved early care and education annual training.
2. No verification was found that a staff (DOH: 11/02/15) obtained any hours of cabinet-approved early care and education annual training.
3. No verification was found that a staff (DOH: 08/22/16) has obtained six (6) hours of cabinet-approved orientation training.
4. No verification was found that a staff (DOH: 05/01/17) has obtained six (6) hours of cabinet-approved orientation training.

Inspection Report

Programming

Not In Compliance

350 - Program of Activities Followed

Not In Compliance

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

(4) The child-care center shall provide a daily planned program:

- (a) Posted in writing in a conspicuous location with each age group and followed;
- (b) Of activities that are individualized and developmentally appropriate for each child served;
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and
- (d) That offers a variety of creative activities including the following:
  - 1. Art;
  - 2. Music;
  - 3. Dramatic play;
  - 4. Stories and books;
  - 5. Science;
  - 6. Block building;
  - 7. Tactile activity;
  - 8. Culture;
  - 9. Indoor or outdoor play in which a child makes use of both small and large muscles;
  - 10. A balance of active and quiet play, including group and individual activity;
  - 11. An opportunity for a child to:
    - a. Have some free choice of activities;
    - b. If desired, play apart from the group at times;

Findings:

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

- 1. During a tour of the Preschool Room on 12/20/17, the surveyor found that the daily planned program was dated 11/2017. The lesson plan was not current.
- 2. The surveyor found that a daily planned program was not posted in the Infant Room. Through interview with staff, the surveyor learned that a daily planned program was not available for review.

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, the surveyor found the following:

- 1. A bottle of hand sanitizer was stored on an approximate three (3) foot tall shelf located in the Preschool Room. The label on the hand sanitizer instructed for it to be kept out of the reach of children. The hand sanitizer was accessible to the children.
- 2. A set of keys was found on an approximate three (3) foot tall shelf located in the Preschool Room. Through interview, the surveyor learned that the keys belonged to a staff person. The staff person's personal items were accessible to the children.
- 3. A cell phone was observed on a stool located near the entry door. Through interview, the surveyor learned that the cell phone belonged to a staff person. The cell phone was accessible to the children.

480 - 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 the following:

- 1. A thick coating of dust was observed on the air vents located in the ceiling of both restrooms used by the children.
- 2. Dead bugs were observed in the light fixtures located in the restrooms used by the children.

520 - Floors, Walls, Ceilings

Not In Compliance

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

(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.

Findings:

General: Based on observation, the surveyor found an approximate two by two (2x2) inch hole in the sheetrock located beside the commode in the boys' restrooms.

Inspection Report

590 - 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 a toilet contained feces located in the restroom used by the School-age children. Through interview, the surveyor learned that the toilet will not flush and is not in good repair.

Hygienic Practices

Not In Compliance

625 - 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 tears in the vinyl covering of the diaper changing pads located in the Infant and Toddler Room and in the Preschool Room.

650 - Toy Sanitation Procedure

Not In Compliance

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

- (4) Toys and other items that are considered mouth contact surfaces by a child not toilet trained shall be sanitized daily by:
  - (a) Scrubbing in warm, soapy water using a brush to reach into crevices;
  - (b) Rinsing in clean water;
  - (c) Submerging in a sanitizing solution for at least two (2) minutes; and
  - (d) Air dried.

Findings:

General: Based on interview, two (2) staff reported that mouth contact toys are sanitized by placing them in a bucket containing bleach water for approximately one (1) minute and then air dried. The proper method for sanitizing mouth contact toys is to wash in warm soapy water, using a brush to reach into crevices, rinse in clean water, submerge in a sanitizing solution for at least two (2) minutes and air dry.

First Aid/Medication

Not In Compliance

670 - Medication

Not In Compliance

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

- (6) Medication, including refrigerated medication, shall be:
  - (a) Stored in a separate and locked place, out of the reach of a child;
  - (b) Kept in the original bottle; and
  - (c) Properly labeled.
- (7) Medication shall not be given to a child if the expiration date on the bottle has passed.

Findings:

General: Based on observation, the surveyor found a bottle of children's cold medicine and a bottle of acetaminophen on a shelf located over the sink in the kitchen. The kitchen door was not locked or secured. The medication was not stored in a separate and locked place.

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 during a tour of the playground, the surveyor found the following:

1. Numerous cigarette butts were observed on the playground located at the rear of childcare center. The cigarette butts were accessible to the children.
2. Numerous papers/debris was observed on the playground located in the front of the childcare center.

Inspection Report

695 - 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 no mulch around a climbing/slide structure located on the playground.

Equipment

Not In Compliance

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 playground, the surveyor found that the legs of a Little Tykes table were loose allowing the table to lean to the ground. The table was not in good repair.

Transportation

Not Applicable

Food Service

Not In Compliance

950 - Kitchen Equipment Clean and Sanitary

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(7) The following shall be clean and sanitary:

(a) Eating and drinking utensils;

(b) Kitchenware;

(c) Food contact surfaces of equipment;

(d) Food storage utensils;

(e) Food storage containers;

(f) Cooking surfaces of equipment; and

(g) Nonfood contact surfaces of equipment.

Findings:

General: Based on observation during a tour of the kitchen, the surveyor found spills and food particles on the interior base of the refrigerator.

965 - Food Clean/Free From Spoilage

Not In Compliance

922 KAR 2:120. Section 9. Food and Meal Requirements.

(1) Food shall be:

(a) Clean;

(b) Free from:

- 1. Spoilage;
- 2. Adulteration; and
- 3. Misbranding;

(c) Safe for human consumption;

(d) Withheld from service or discarded if the food is hermetically sealed, nonacidic, or low-acidic food that has been processed in a place other than a commercial food-processing establishment;

Findings:

General: Based on observation during a tour of the School-age Room, the surveyor found a decayed banana in the refrigerator.

1065 - Lunch/Dinner Requirements

Not In Compliance

922 KAR 2:120. Section 9. Food and Meal Requirements.

(19) Lunch and dinner shall include:

(a) Milk;

(b) Protein;

(c) Bread; and

(d) 1. Two (2) vegetables;

2. Two (2) fruits; or

3. One (1) fruit and one (1) vegetable.

Findings:

General: Based on observation during lunch, the surveyor found that the children were served milk, gravy, biscuits, sausage, eggs and oranges. The children did not receive a second fruit or vegetable component.

Inspection Report

Children's Records

Not In Compliance

1075 - Enrollment Information

Not In Compliance

922 KAR 2:110. Section 3. 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 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 situation 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 review of documentation contained in ten (10) children's files, the surveyor found the following:

1. Three (3) files did not contain information to enable a person in charge to identify or contact the preferred hospital.

2. One (1) file did not contain information for a person in charge to contact the family physician.

3. Two (2) files did not contain authorization by the parent for the childcare center to seek emergency medical care for the child in the parent's absence.

Written Documentation

Not In Compliance

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, the surveyor found that twenty-one (21) children were present at the childcare center. Review of the Daily Attendance Record found that only eighteen (18) of the children's arrival times were documented.

1115 - Earthquake/Tornado Drills

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

Findings:

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

1. No verification was found that earthquake drills were conducted for the second and third quarters of 2017.

2. Verification was found that tornado drills were conducted. However, the same time of day was recorded for tornado drills and fire drills for the second and third quarters of 2017.

1120 - Fire Drills

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

Findings:

General: Based on review of documentation, the surveyor found verification that fire drills were conducted. However, the same time of day was recorded for fire drills and tornado drills for the second and third quarters of 2017.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date