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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, 42501 | <b>Provider Type:</b> LICENSED TYPE I | <b>Capacity:</b> 49                       |
| <b>Owner(s):</b> Wendy's Wonderland                          |                                       | <b>Director(s):</b> Phillips, Erica Marie |

|   |   |                              |
|---|---|------------------------------|
| <b>Inspection Type:</b> Renewal Application | <b>Inspection Information</b>             | <b>Inspection No:</b> 247622 |
| <b>Date Initiated:</b> 12/28/2018 11:10 AM  | <b>Date Concluded:</b> 12/28/2018 3:30 PM |                              |
|   | <b>No. of Children Present:</b> 31        |                              |

| Inspection Report   |                          |
|---|--------------------------|
| Background Checks   | Not In Compliance        |
| <b>20 - Out of state background checks</b>  | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:280. Section 5. Checks of Other States.</b><br/> <b>(1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall:</b><br/> <b>(a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet:</b><br/> <b>1. An in-state criminal records check by:</b><br/> <b>a. Means of fingerprints for the state of residence; or</b><br/> <b>b. Any means accepted by a state of prior residency;</b><br/> <b>2. A check of the state's sex offender registry or repository; and</b><br/> <b>3. A check of the state-based child abuse and neglect registry and database; and</b><br/> <b>(b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601.</b></p> |                          |
| <b>Findings:</b>  |                          |
| <p>General: Based on review of documentation and interview, the surveyor was presented with a staff file (DOH: 11/12/18) for a staff member that has resided outside the state of Kentucky in Virginia within the past five (5) years. The surveyor was not presented with documentation of the submission of the required out of state background checks or the results of the required out of state background checks. The staff member was not observed working alone with the children. The Staff-in-Charge reported that the out of state background checks were in the process of being requested.</p>  |                          |
| <b>Supervision</b>  | <b>In Compliance</b>     |
| <b>Staffing Requirements</b>  | <b>In Compliance</b>     |
| <b>General Administration</b>   | <b>In Compliance</b>     |
| <b>Director Requirements</b>  | <b>Not In Compliance</b> |
| <b>340 - Staff Meeting</b>  | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</b><br/> <b>(1) A director shall:</b><br/> <b>(i) Conduct, manage, and document in writing recurring staff meetings;</b></p>   |                          |
| <b>Findings:</b>  |                          |
| <p>General: Based on review of documentation and interview, the surveyor was not presented with documentation of any staff meetings conducted within the past year. The last staff meeting documented was dated for March of 2017. The staff-in-charge stated that staff meetings are held regularly; however, she has not been documenting them.</p>   |                          |

Inspection Report

370 - Parental/Family Involvement Activity

Not In Compliance

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

(1) A director shall:

(p) Coordinate at least one (1) annual activity involving parental or family participation;

Findings:

General: Based on review of documentation and interview, the surveyor was not presented with documentation of a parent/family involvement activity completed within the past year. Staff-in-charge stated that it would be difficult to get any parents to attend an activity at the center.

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 review of documentation and interview, the following were found:

- 1. The surveyor was not presented with documentation from a physician that a staff member (DOH: 5/1/18) is free of active tuberculosis. The most recent documentation on file from a physician stating the staff member was free from active tuberculosis was dated 10/21/16 which was not within the past two (2) years.
2. The surveyor was not presented with valid documentation from a physician stating that a staff member (DOH: 11/12/18) is free from active tuberculosis. The documentation on file was not dated. The Staff-in-Charge was not aware that the information on file was not valid.

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 1/2) 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 1/2) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on review of documentation, review of ECE-TRIS, and interview, the following were found:

- 1. The surveyor was not presented with fifteen (15) hours of annual training for a staff (DOH: 9/21/15) for 9/21/17 - 9/20/18. Review of ECE-TRIS, revealed that only nine and a half (9.5) hours of annual training had been completed. The Staff-in-Charge was not aware of the training discrepancy.
2. The surveyor was not presented with documentation of the completion of six (6) hours of orientation for a staff member (DOH: 4/5/18). The Staff-in-Charge stated that the employee had completed the orientation training and it should be in ECE-TRIS. Upon review of ECE-TRIS, the surveyor found that the orientation training had not been completed.

Programming

In Compliance

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 and interview, the surveyor found that a toilet plunger, toilet cleaner, and bleach spray cleaner were stored under the sink in the school age restroom. The sink cabinet had a safety lock in place but it was not functioning; therefore, the items were accessible to the children. Staff reported that the safety lock had recently broken.

525 - Items Accessible Only During Activity

Not In Compliance

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

(8) The following shall be inaccessible to a child in care unless under direct supervision and part of planned program of instruction:

- (a) Knives and sharp objects;
(b) Litter and rubbish;
(c) Bar soap; and
(d) Plastic bags not used for personal belongings.

Findings:

General: Based on observation and interview, the surveyor found an open box of corn starch and loose plastic bags under the sink located in the nursery classroom. The sink cabinet had a safety lock in place but it was not functioning properly; therefore, the items were accessible to the children. Staff stated that the safety lock had not been functioning for a few days.

**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 and interview, the following were found:

1. The large blue rug located in the pre-k classroom was soiled with debris and stained.
2. The rug under the green table in the school age classroom was soiled and stained.

The Staff-in-Charge was not aware of the condition of the rugs.

**640 - Toilet Room**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

- (2) A toilet room shall:**  
**(a) 1. Be provided for each gender; or**  
**2. A plan shall be implemented to use the same toilet room at separate times;**  
**(b) Have a supply of toilet paper; and**  
**(c) Be cleaned and disinfected daily.**

**Findings:**

General: Based on observation and interview, the following were found:

1. The sink located in the blue restroom had a soiled paper towel stuffed down the drain.
2. There was a soiled paper towel on the sink in the school age restroom.

Staff reported that the restrooms are cleaned daily.

**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 and interview, the surveyor found that the base of the toilet located in blue restroom was soiled. Staff stated that the toilet is cleaned daily.

**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 and interview, the surveyor found that the diaper changing station located in the nursery was soiled with crumbs and debris under the changing mat. Staff stated that under the changing mat is cleaned a few times per week.

**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 and interview, the surveyor was presented with a first aid kit that did not contain medical tape. The Staff-in-Charge inspected the first aid kit and confirmed that they were out of medical tape.

**720 - Medication Administration**

**Not In Compliance**

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

- (4) Prescription and nonprescription medication shall be administered to a child in care:**
- (a) 1. With a written request of the child's parent or the child's prescribing health professional; and**
  - 2. According to the directions or instructions on the medication's label; or**
  - (b) For epinephrine, in accordance with KRS 199.8951 and 311.646.**

**Findings:**

General: Based on observation and interview, the following were found:

- 1. The surveyor observed a breathing machine mask on the sink in the nursery. Upon interview, staff stated they had administered a breathing treatment to a child that morning. Staff stated that if the parent had signed consent for the medication to be administered, it would be up front in the office area of the center. Staff stated that the child's mother had verbally instructed her to administer the breathing treatment. The Staff-in-Charge stated that she was not aware of the parent signing consent for the child to be administered a breathing treatment or any medication.
- 2. The surveyor observed a bottle of children's cold and cough medication on a bin next to the kitchen door. The Staff-in-Charge stated that the medication was administered to her biological child that morning after signing the child into the center. The Staff-in-Charge reported that she had not signed consent for the medication to be administered to the child at the center since she had administered it herself.

**725 - Administration Record**

**Not In Compliance**

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

- (5) The child-care center shall keep a written record of the administration of medication, including:**
- (a) Time of each dosage;**
  - (b) Date;**
  - (c) Amount;**
  - (d) Name of staff person giving the medication;**
  - (e) Name of the child; and**
  - (f) Name of the medication.**

**Findings:**

General: Based on observation and interview, the following were found:

- 1. The surveyor observed a breathing machine mask on the sink of the nursery classroom. Staff confirmed through interview that she had administered a breathing treatment to a child that morning. When the surveyor asked to see the medication administration documentation, staff stated she did not know she was supposed to document she had given the medication to the child.
- 2. The surveyor observed a bottle of children's cold and cough medication on a bin next to the kitchen door. Upon interview, the Staff-in-Charge stated they had administered that medication to their biological child that morning after the child was signed in. The Staff-in-Charge stated they had not documented administering the medication.

**730 - 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 unless the medication is:**
    - 1. A first aid supply and is maintained in accordance with subsection (1) of this section;**
    - 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;**
    - 3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including:**
      - a. An epinephrine auto-injector shall be inaccessible to a child;**
      - b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;**
      - c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and**
      - d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12(1)(b) if an epinephrine auto-injector is administered to a child; or**
    - 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;**
  - (b) Kept in the original bottle; and**
  - (c) Properly labeled.**
- (7) Medication shall not be given to a child if the medication's expiration date has passed.**

**Findings:**

General: Based on observation and interview, the following were found:

1. The surveyor observed a breathing machine mask on the sink in the nursery classroom. Staff confirmed that she had administered a breathing treatment to a child that morning. Staff stated that the medication is locked up at the front of the center. The Staff-in-Charge showed the surveyor a medication lock box where all medications are supposed to be stored; however, there was no breathing machine medication in the lock box. Upon further interview of nursery staff, it was discovered that the medication was stored with the breathing machine on a shelf in the nursery where it was not locked.
2. One (1) tube of A&D Diaper Ointment was left on the changing table in the nursery classroom where it was accessible to any child that would be placed on the changing table for a diaper change.
3. One (1) tube of diaper rash cream was located on the tray of a blue child seat that was located in the floor of the nursery classroom. The diaper rash cream was accessible to the children.
4. A bottle of children's cold and cough medication was located on top of some plastic bins by the kitchen door. The medication was not locked and thus accessible to children. The Staff-in-Charge stated she had administered the medication to her biological child that morning.

**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 and interview, the surveyor found that the back playground was littered with cigarette butts. The Staff-in-Charge stated that this was caused by people that play bingo next door who smoke and throw their cigarettes onto the playground.

**Equipment**

**Not In Compliance**

**815 - Toys/Furniture**

**Not In Compliance**

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

- (1) All toys 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 and interview, the following were found:

1. There was a dried white substance that appeared to be dried milk on the black milk crates used for toy storage in the one's classroom. Staff stated that the classroom was not being used.
2. There were three (3) high chairs in the nursery that were soiled with food crumbs and dried food was smeared on the trays.
3. Three (3) exersaucers located in the nursery had trays that were soiled with debris and dried milk. Staff stated that large equipment is cleaned once weekly.

**820 - Indoor/Outdoor Equipment**

**Not In Compliance**

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

**(2) Indoor and outdoor equipment shall:**

- (a) Be clean, safe, and in good repair;**
- (b) Meet the physical, developmental needs, and interests of children of different age groups;**
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
- (d) Be designed to guard against entrapment or situations that may cause strangulation.**

**Findings:**

General: Based on observation and interview, the surveyor found that three (3) bicycles located on the front playground were missing pedals thus exposing the sharp metal edges that present a safety risk to the children. The Staff-in-Charge was not aware of the condition of the bicycles.

**Transportation**

**Not Applicable**

**Food Service/Food Program**

**In Compliance**

**Food Service**

**Not In Compliance**

**1030 - Frozen Food**

**Not In Compliance**

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

**(5) Frozen food shall be:**

- (a) Kept at a temperature of zero degrees Fahrenheit or below; and**
- (b) Thawed:**
  - 1. At refrigerator temperatures;**
  - 2. Under cool, potable running water;**
  - 3. As part of the cooking process; or**
  - 4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217.**

**Findings:**

General: Based on observation and interview, the surveyor found that a freezer door was left open and the freezer temperature was reading at forty (40) degrees Fahrenheit. The Staff-in-Charge was not aware that the freezer door had been left open.

**1040 - 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 and interview, the surveyor found that the top of the mini refrigerator located in the one's classroom was soiled with a white substance that appeared to be dried milk. Staff stated that the classroom is not being used.

**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 and interview, the surveyor was presented with a professional development plan for a staff member (DOH: 9/21/15) that was dated for November of 2017; therefore, the professional development plan was not updated annually as required. The Staff-in-Charge was not aware of the professional development plan needing to be updated.

**1175 - Earthquake/Tornado/Fire Drills**

**Not In Compliance**

**922 KAR 2:090. Section 9. 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;**
- (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 and interview, the surveyor was not presented with documentation of a monthly fire drill conducted during November of 2018. The Staff-in-Charge stated that the fire drill had been conducted; however, she forgot to document it.

**Inspection Report**

**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 surveyor did not observe that a Consumer Product Safety Flyer or recall information was posted anywhere inside the center. The Staff-in-Charge stated that the center had recently been painted and she had forgotten to repost the information.

**1220 - Diapering/Handwashing**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

**(9) The proper methods of diapering and hand-washing shall be posted at each diaper changing area.**

**Findings:**

General: Based on observation and interview, the surveyor found that the hand washing procedures were not posted at the diaper changing area inside the Pre-k classroom. The Staff-in-Charge was not aware that information was not posted.

**Animals**

**In Compliance**

Signature of Provider/Representative

Title

Date