



**CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF INSPECTOR GENERAL**

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**Inspection Report**

<b>Provider Name:</b> West End Kids Academy	<b>Provider Information</b>	<b>CLR No:</b> L383500
<b>Provider Address:</b> 135 Memorial Dr., Paducah, KY, 42001	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 71
<b>Owner(s):</b> West End Kids Academy, LLC		<b>Director(s):</b> Hayes, Patricia Ann

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 293132
<b>Date Initiated:</b> 03/16/2020 10:10 AM	<b>Date Concluded:</b> 03/16/2020 2:20 PM	
	<b>No. of Children Present:</b> 39	

<b>Inspection Report</b>	
<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>
<b>145 - Fire Marshal</b>	<b>Not In Compliance</b>

**922 KAR 2:090. Section 6. License Issuance.**

- (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:**  
**(b) Be approved by the Office of the State Fire Marshal or designee;**

**Findings:**

General: Based on review of documentation and interview, the fire marshal inspection was conducted by a local fire marshal on 05/07/18.

<b>Director Requirements</b>	<b>Not In Compliance</b>
<b>335 - Staff Management/Policy Development/Supervision</b>	<b>Not In Compliance</b>

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

- (1) A director shall:**  
**(e) Manage the staff in their individual job descriptions;**  
**(f) Assure the development, implementation, and monitoring of child-care center plans, policies, and procedures;**  
**(g) Supervise staff conduct to ensure implementation of program policies and procedures;**

**Findings:**

General: Based on observation, surveyor observed on 03/16/2020, a staff member holding an infant in her lap, and the staff was coughing, congested and appeared sick. Interview and review of documentation determined a notice was posted that stated, "We will not be able to allow anyone to remain at the center that has flu/cold symptoms, (fever, coughing, lethargic, etc.)."

<b>345 - Staff Evaluation</b>	<b>Not In Compliance</b>
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**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 and interview, staff members hired 02/01/16, 07/24/18 and 09/17/18 did not have an annual written performance evaluation on file for review. In addition, staff members hired 01/27/16 and 02/14/16, had annual written performance evaluation on file dated 02/01/19.

## Inspection Report

### 350 - Health, Safety, Comfort

Not In Compliance

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

##### (1) A director shall:

- (l) Assure the health, safety, and comfort of each child;

##### Findings:

General: Based on observation and interview, the director was aware of a staff member who worked with the infants was allowed to remain at work even though the person demonstrated illness symptoms. This person had a cough and appeared to be ill. A sign posted that stated, "We will not be able to allow anyone to remain at the center that has flu/cold symptoms, (fever, coughing, lethargic, etc.)."

### 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, one (1) staff hired 02/01/16, had TB skin test documentation on file that was dated 12/21/17.

### 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 ½) 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 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

##### Findings:

General: Based on review of documentation and interview, staff member hired 09/17/18, completed the Pediatric Abusive Head Trauma training on 05/10/2012, but failed to complete the training again every five (5) years.

### 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, a pair of sharp adult scissors was stored in a pencil holder on the adult's desk two-years-olds' room and were accessible to children. In addition, a nineteen (19) ounce plastic container of Lysol disinfecting wipes and a nine (9) ounce plastic container of Clorox disinfecting wipes were stored under the unlocked changing table, accessible to children in the preschool room. The disinfecting wipes stated, "Keep out of reach of children."

### 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, several empty plastic bags were stored on the bottom shelf of the unlocked changing table in the infants' room. These items were accessible to children and were not a part of the planned program of instruction.

### 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 vent cover was missing on the restroom vent. The light bulbs were not covered in the restroom located between the one-year-old and two-year-old classroom.

**Inspection Report****Hygienic Practices****Not In Compliance****655 - Child Personal Care/Handwashing****Not In Compliance****922 KAR 2:120. Section 3. General Requirements.****(4) A child shall:**

- (a) Be helped with personal care and cleanliness based upon his or her developmental skills;**
- (b) Except as established in paragraph (c) of this subsection, wash his or her hands with liquid soap and warm running water:**

- 1. a. Upon arrival at the center; or**
- b. Within thirty (30) minutes of arrival for school-age children;**
- 2. Before and after eating or handling food;**
- 3. After toileting or diaper change;**
- 4. After handling animals;**
- 5. After touching an item or an area of the body soiled with body fluids or wastes; and**
- 6. After outdoor or indoor play time; and**

**(c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.**

**Findings:**

General: Based on observation, a child did not wash his hands after lunch in the two-year-old classroom. The child laid on a cot for his nap.

**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, a two (2) inch long tear was on the back of a diapering mat located in the two-year-old room. In addition, there was a glass of milk, two (2) ink pens and a daily attendance log observed in the diaper changing area that was not used for diaper changing. The diapering changing pad had two (2), three-inch tears on the back and exposed foam in the one-year-old classroom. The diapering changing table was soiled underneath the changing pad and there was a liquid substance that had the odor of urine in the infants' room.

**First Aid/Medication****Not In Compliance****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 review of documentation and interview, the medication log did not have the name of the person who administered Tylenol on 10/24/19. In addition, the medication log did not have the name of the person who administered Cefprozil and Prednisolone on 12/05/2019.

# Inspection Report

## 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, a one-fluid ounce bottle of Infant Tylenol was stored in the locked medicine box in the infants' room was not labeled to indicate to whom it belonged.

### Outdoor Play Area

In Compliance

### Equipment

Not In Compliance

## 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, five (5), swing chains were rusty on the older children's playground.

### Transportation

Not Applicable

### Food Service/Food Program

In Compliance

### Food Service

In Compliance

### Children's Records

Not In Compliance

## 1135 - Immunization

Not In Compliance

### 922 KAR 2:090. Section 9. 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, and interview, two (2) children enrolled 08/08/19 and 12/13/19 did not have an immunization certificate on file. In addition, a child enrolled on 11/11/19, had an immunization certificate on file that was valid until 02/15/2020.

# Inspection Report

## 1140 - Enrollment Information

Not In Compliance

### 922 KAR 2:090. Section 9. 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 a 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 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, one (1) child, enrolled on 12/13/19, did not have a preferred hospital listed in their enrollment information.

Written Documentation

Not In Compliance

## 1150 - Evacuation Plan

Not In Compliance

### 922 KAR 2:090. Section 5. Evacuation Plan.

(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

#### Findings:

General: Based on review of documentation and interview, the center's written course of action plan for evacuation did not include an evacuation route to the designated relocation site in accordance with KRS 199.895.

## 1160 - Daily Attendance Records

Not In Compliance

### 922 KAR 2:090. Section 9. 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 and interview, thirty-nine (39) children were present on 03/16/2020 but only thirty-four (34) had a arrival time documented.

## 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, a staff member, hired on 01/27/16, had an annual written professional development plan on file that was dated 06/11/18. A staff member, hired on 02/14/16, had an annual written professional development plan on file that was dated 04/12/18. A staff member, hired on 01/27/16, had an annual written professional development plan on file that was dated 02/12/19. In addition, staff members hired 02/01/16, 09/17/18, and 07/24/18 did not have a written professional development plan on file for review.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of  
Provider/Representative

Title

Date