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Inspection Report

<b>Provider Name:</b> Miracles & Wonders Play & Learning Center	<b>Provider Information</b> <b>Provider Type:</b> LICENSED TYPE I	<b>CLR No:</b> L383506
<b>Provider Address:</b> 1183 Devonport Circle, Lexington, KY, 40504		<b>Capacity:</b> 42
<b>Owner(s):</b> New Life Creations, LLC		<b>Director(s):</b> Young, Duchess T

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 219568
<b>Date Initiated:</b> 05/30/2017 9:30 AM	<b>Date Concluded:</b> 05/30/2017 11:40 AM	
	<b>No. of Children Present:</b> 26	

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>
<b>922 KAR 2:090. Section 6. License Issuance.</b> <b>(11) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</b> <b>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</b>	
<b>Findings:</b>	
General: Based on Review of Documentation, there was no documentation made available at the time of the survey regarding current liability insurance.	
<b>175 - Change of Director</b>	<b>Not In Compliance</b>
<b>922 KAR 2:110. Section 6. Reports.</b> <b>(3) A licensee shall report to the cabinet within one (1) week:</b> <b>(a) Any resignation, termination, or change of director; and</b> <b>(b) The name of the acting director who satisfies the requirement of Section (4) of this administrative regulation.</b>	
<b>Findings:</b>	
General: Based on Interview, it was found that the director on file was no longer employed at the facility. The staff person in charge indicated that the named director left the facility on 5/3/17 and that she had taken over as director. As of the date of the survey the facility had not notified DRCC of a change of director.	
<b>Director Requirements</b>	<b>Not In Compliance</b>
<b>255 - Staff Meeting</b>	<b>Not In Compliance</b>
<b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b> <b>(1) Effective with the adoption of this administrative regulation, a director shall:</b> <b>(i) Conduct, manage, and document in writing staff meetings;</b>	
<b>Findings:</b>	
General: Based on Review of Documentation, there was no documentation of staff meetings being conducted during the current licensure year presented at the time of the survey.	

**260 - Staff Evaluation**

**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:**

**(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, staff persons hired 2/25/16, 5/23/16 and 2/25/16 did not have evidence of an annual evaluation on file in the facility.

**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:**

Based on observation and review of documentation, staff person hired 5/3/17 had listed an address in New York as a previous residence in the past five (5) years. There was no evidence of a background check from New York for the staff person on file in the facility. The staff person was observed alone while supervising five (5) infants/toddlers for the duration of the survey.

**Employee Records**

**Not In Compliance**

**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 following was found: 1. Staff person hired 5/22/17 did not have the results of or evidence of the application for a criminal background check on file in the facility. 2. Staff person hired 5/22/17 had the results of a criminal records check dated 5/26/17. There was no evidence on file that the application for the check had been submitted prior to employment as required. 3. Staff person hired 2/6/17 had the results of a criminal records check dated 2/21/17. There was no evidence on file that the application for the check had been submitted prior to employment as required. 4. Staff person hired 5/23/16 had the results of a criminal records check dated 5/8/17. There was no evidence on file that the application for the check had been submitted prior to employment as required. 5. Staff person hired 5/23/16 had the results of a CA/N check dated 3/22/17. There was no evidence on file that the application for the check had been submitted within the first five (5) of employment as required. 6. Staff person hired 5/3/17 had the results of a criminal records check dated 5/26/17. There was no evidence on file that the application for the check had been submitted prior to employment as required. 7. Staff person hired 5/3/17 had the results of a CA/N check dated 5/17/17. There was no evidence on file that the application for the check had been submitted within the first five (5) days of employment as required. 8. Staff person hired 5/3/17 had listed an address in New York as a previous residence in the past five (5) years. There was no evidence of a background check from New York for the staff person on file in the facility. The staff person was observed alone while supervising five (5) infants/toddlers for the duration of the survey.

**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) of the six (6) personnel files presented for review did not include a date of employment.

**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, it was determined that a staff person hired 5/22/17 did not have evidence of proof of education on file in the facility.

**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 following was found: 1. Staff person hired 5/23/16 did not have evidence of completing the required orientation training in the first three (3) months of employment. A review of ECE-TRIS records supports the information found during the survey. 2. Staff person hired 5/23/16 did not have evidence of completing the Pediatric Abusive Head Trauma training within the first year of employment. A review of ECE-TRIS records supports the information found during the survey. 3. Staff person hired 2/25/16 had evidence of only seven (7) hours of annual training on file for the last full year of employment. A review of ECE-TRIS records supports the information found during the survey. 4. Staff persons hired 5/23/16 and 2/25/16 did not have evidence of any annual training on file for the last full year of employment. A review of ECE-TRIS records supports the information found during the survey.

**345 - Driver Requirements**

**Not In Compliance**

**922 KAR 2:120. Section 12. Transportation.**

**(18) A driver of a vehicle transporting a child for a center shall:**

- (a) Be at least twenty-one (21) years old;**
- (b) Complete:**
  - 1. The background checks as described in 922 KAR 2:110; and**
  - 2. An annual check of the:**
    - a. Kentucky driver history records in accordance with KRS 186.018; or**
    - b. Driver history records through the state transportation agency that issued the driver's license;**
- (c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and**
- (d) Not caused an accident which resulted in the death of a person.**

**Findings:**

General: Based on Review of Documentation, the staff person designated as a van driver for the facility did not have evidence of an annual driving record on file in the facility.

**Programming**

**Not In Compliance**

**435 - Bedding/Toys in Crib**

**Not In Compliance**

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

**(3) Rest time shall include adequate space specified by the child's age as follows:**

- (a) For an infant:**
  - 3. No loose bedding; and**
  - 4. No toys or other items except the infant's pacifier;**

**Findings:**

General: Based on Observation, a four-month-old child was in a crib in the Infant/Toddler classroom. There was a large fluffy blanket in the crib with the child. The blanket was loose and not tucked in under the mattress.

**Premises**

**Not In Compliance**

**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 smoke detector in the empty front room was chirping. The chirping indicates that the detector's battery is low and/or the unit is not operating properly.

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515 - Protected Openings

Not In Compliance

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

- (8) An opening to the outside shall be effectively protected against the entrance of vermin by:
  - (a) Self-closing doors;
  - (b) Closed windows;
  - (c) Screening;
  - (d) Controlled air current; or
  - (e) Other effective means.

Findings:

General: Based on Observation, the door leading to the outside playground was propped open in the School-age classroom. There was no screen or barrier in place to protect against the entrance of vermin.

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, there was a black sticky substance on the carpeted stairs that lead to the Infant/Toddler classroom. In an interview with the staff person in charge it was found that a runner had been removed from the stairs and a glue residue was left on the carpeted stairs.

580 - 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 sanitized daily.

Findings:

General: Based on Observation, there were discarded Cheerios in the drain of one of the sinks used for handwashing in the children's bathroom in the Preschool classroom.

Hygienic Practices

Not In Compliance

640 - Children's Individual Items

Not In Compliance

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

- (14) Combs, towels or washcloths, brushes, and toothbrushes used by a child shall be:
  - (a) Individually stored in separate containers; and
  - (b) Plainly labeled with the child's name.

Findings:

General: Based on Observation, there were several blankets and pillows lying together on a ledge in the Preschool classroom. The items were not being stored separately and were touching. The blankets and pillows are used by the children during nap time.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

Not In Compliance

730 - Crib/Mattress/Sheet

Not In Compliance

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

- (3) Rest time shall include adequate space specified by the child's age as follows:
  - (a) For an infant:
    - 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;
    - 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:
      - a. Weekly; or
      - b. Immediately if it is soiled or wet;

Findings:

General: Based on Observation, there was a four-month-old child in a crib in the Infant/Toddler classroom. The sheet in the crib was very loose and not tight fitting. The sheet was stained and dirty.

Transportation

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

**Inspection Report**

**Written Documentation**

**Not In Compliance**

**1105 - Professional Development**

**Not In Compliance**

**922 KAR 2:110. Section 3. 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, staff persons hired 2/25/16, 5/23/16 and 2/25/16 did not have evidence of a professional development plan on file in the facility.

**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, there was no documentation of earthquake or tornado drills being conducted prior to 2/17/17 during the current licensure year presented at the time of the survey.

**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 Observation, there was no documentation of fire drills being conducted prior to 2/17/17 during the current licensure year presented at the time of the survey.

**1140 - Fire Drills**

**Not In Compliance**

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

- (12) A fire drill shall be conducted during hours of operation:**
- (a) At least monthly; and**
- (b) Documented.**

**Findings:**

General: Based on Review of Documentation, there was no documentation of fire drills being conducted prior to 2/17/17 during the current licensure year presented at the time of the survey.

**1145 - Earthquake/Tornado Drills**

**Not In Compliance**

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

- (13) An earthquake drill and a tornado drill shall be conducted during hours of operation:**
- (a) At least quarterly; and**
- (b) Documented.**

**Findings:**

General: Based on Review of Documentation, there was no documentation of earthquake or tornado drills being conducted prior to 2/17/17 during the current licensure year presented at the time of the survey.

**Posted Documentation**

**Not In Compliance**

**1165 - Daily Activities**

**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:**
- (h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;**

**Findings:**

General: Based on Observation, a current schedule of daily activities, including lists and dates of activities to be conducted with the children was not posted in the Infant classroom.

**Animals**

**Not Applicable**

Signature of Provider/Representative

Title

Date