



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

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Inspection Report

Provider Name: Allisons Wonderland LLC	Provider Information	CLR No: L383517
Provider Address: 3101 Richmond Road Suite 301, Lexington, KY, 40509	Provider Type: LICENSED TYPE I	Capacity: 20
Owner(s): Allison's Wonderland LLC		Director(s): Ransom, Jane Allison

Inspection Type: Investigation	Inspection Information	Inspection No: 218586
Date Initiated: 01/13/2017 2:48 PM	Date Concluded: 01/20/2017 3:45 PM	
	No. of Children Present: 19	

Inspection Report		
Supervision	Not In Compliance	
5 - Children Supervised	Not In Compliance	

922 KAR 2:120. Section 2. Child Care Services.
(3)(a) Each center shall maintain a child-care program that assures each child will be:
1. Provided with adequate supervision at all times by a qualified staff person who:
a. Ensures the child is within scope of vision and range of voice; or
b. For a school-age child, within scope of vision or range of voice;

Findings:

General: Based on Observation and interview during the investigation, the facility failed to assure each child was adequately supervised. On 1/13/17 at approximately 2:48 p.m. the surveyor and DCBS representative entered the facility and the following observations were made: Two (2) staff were observed on the right hand side of the facility with twelve (12) infants and toddlers ages four (4) months to twenty two (22) months. The surveyor observed two (2) of the toddlers napping in a separate area that was sectioned off from the cribs, eating area, and diapering area. The area was divided by a shelving unit with a gate attached. One of the staff that was present stated that the gated area where the toddlers were sleeping was not a separate room. She stated that it was all one (1) classroom. The surveyor noted that the infant/ toddler classroom was over group size and ratio. The surveyor also noted that there were two (2) toddlers standing in their cribs, one (1) infant sitting in a Bumpo seat, and another infant in an Exersaucer, one (1) toddler getting a diaper changed, and five (5) other infant/ toddlers in high chairs. The surveyor observed that there were six (6) children present on the left hand side of the facility in a separate area which was identified as the preschool classroom. Per interview, the youngest child present was a two-year-old and the oldest child present was a five-year-old. Four (4) children were asleep on cots while a two-year-old female and a five-year-old male were awake and playing. There was no adult present in this area. At 3:07 p.m., a five-year-old male was observed exiting through a back gate to go to the bathroom unsupervised. Next, the two-year-old female stated that she needed to go to the bathroom. A staff person exited the infant/ toddler classroom and followed the child to the bathroom leaving the infant/toddler area out of ratio by five (5) children. At 3:09 p.m. a female toddler woke up from nap and stood at the baby gate while another toddler walked over and started pulling on the door of the gate. The female toddler started crying and was hitting the male toddler on his shoulders. The two (2) toddlers were fighting over the gate. Finally, the male toddler sat down and started playing with toys. Neither staff saw this occurring because they were feeding children and changing diapers at the opposite end of the facility. From where the staff stood, they could not see the male toddler sitting on the floor playing because the area is blocked with a brown shelving unit with a baby gate attached. The male child sat down directly in front of the shelving unit. At 3:10 p.m. a female child in the preschool classroom woke up and was observed sitting on her cot. There was still no adult in this area. At 3:15 p.m., two (2) male toddlers were observed playing with the door of the baby gate. One (1) of the male toddlers was putting his mouth on the edge of the door while another toddler grabbed a hold of the door. The female toddler who had been asleep was now awake and stood near her cot. One (1) staff stood near the high chairs and while the other staff had her back turned while she stood at the sink and diapering area. Additionally, on 1/17/17 at approximately 2:54 p.m., the surveyor observed a male toddler take an outlet cover out of an outlet in the area that is sectioned off from the cribs and high chairs. The two (2) infant/ toddler staff did not see the child do this. A staff person from the preschool classroom entered the infant/ toddler area and took the outlet cover from the child and remained in the area with the toddler. The surveyor and DCBS representative observed on numerous occasions the staff with their backs turned away from the children which resulted in the children not being within their scope of vision. Additionally, at approximately 3:28 p.m., six (6) preschool children were left unattended while the staff person escorted three (3) children to the restroom.

15 - Activity Areas/Equipment/Materials

Not In Compliance

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

(2) Activity areas, equipment, and materials shall be arranged so that the child's activity can be given adequate supervision by staff.

Findings:

General: Based on Observation and interview, the facility failed to ensure that activity areas, equipment, and materials are arranged so that a child's activity can be given adequate supervision. On 1/13/17 at 3:09 p.m. a female toddler woke up from nap and stood at the baby gate while another toddler walked over and started pulling on the door of the gate. The female toddler started crying and was hitting the male toddler on his shoulders. The two (2) toddlers were fighting over the gate. Finally, the male toddler sat down and started playing with toys. Neither staff saw this occurring because they were feeding children and changing diapers at the opposite end of the facility. Furthermore; from where the staff stood, they could not see the male toddler sitting on the floor playing because the area is blocked with a brown shelving unit with a baby gate attached. The male toddler sat down directly in front of the shelving unit. Next, another male toddler was observed putting his mouth on the edge of the baby gate door while another toddler grabbed a hold of the door. The female toddler who had been asleep was now awake and stood near her cot. One (1) staff stood near the high chairs while the other staff had her back turned as she stood at the sink and diapering area. At approximately 3:25 p.m., five (5) toddlers had now entered the gated area and were playing near the window ledge. One of the toddlers grabbed two (2) push-pull toys that were stacked on top of the window ledge. Both push-pull toys fell on top of the toddlers that had congregated near the window ledge. The staff person that was in the infant/toddler classroom was positioned near the high chairs at the opposite end of the facility and did not see this taking place.

Staffing Requirements

Not In Compliance

35 - Adequate Adults/Qualified Staff

Not In Compliance

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

(10) The minimum number of adult workers in a child-care center shall be sufficient to ensure that:

- (a) Minimum staff-to-child ratios in accordance with 922 KAR 2:120 are followed;**
- (b) Each staff person under eighteen (18) years of age and each student trainee are under the direct supervision of a qualified staff person who meets the requirements of this section; and**
- (c) Unless providing care with a qualified staff person, a person under the age of eighteen (18) shall not be counted as staff for the staff-to-child ratio.**

Findings:

Based on observation, record review, and interview, the facility failed to have a minimum number of adult workers to ensure that a minimum of staff-to-child ratios were met. On 1/13/17 during the investigation at approximately 2:48 p.m. the surveyor and DRCC representative noted that there were only two (2) staff and a total of eighteen (18) children ages four (4) months to five (5) years old present in the facility. There was not a staff person present with the six (6) preschool children and the infant/toddler classroom was over group size and ratio by two (2) children. During the investigation, the surveyor informed the Director that she was over group size, ratio, and there was a lack of supervision. The Director told the cabinet representatives that a staff person was on a lunch break and would be returning soon. The Director identified the staff person by name and said that the staff person had gone to lunch at 2:00 p.m. The surveyor asked why she had allowed this staff person to take a lunch break during a time when it would leave her out of ratio, group size and cause supervision issues. The Director told the cabinet representatives that it was due to labor laws. The surveyor inquired about her substitutes. The Director said that a staff person had quit and the substitute had "called in". She also told the cabinet representatives that her husband had been helping and had just left. However, a review of the staff schedule dated 1/13/17 did not list the Director's husband. Furthermore, the substitute listed on the schedule was noted as having the whole day off on 1/13/17.

40 - Ratios and Group Size

Not In Compliance

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

(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:

Age of Children Ratio Maximum Group Size*

- Infant**
1 staff for 5 children 10
- Toddler**
1 staff for 6 children 12
- Preschool-age 2 to 3 years**
1 staff for 10 children 20
- Preschool-age 3 to 4 years**
1 staff for 12 children 24
- Preschool-age 4 to 5 years**
1 staff for 14 children 28
- School-age 5 to 7 years**
1 staff for 15 children 30
- School-age 7 and older**
1 staff for 25 children
- (for before and after school) 30**
1 staff for 20 children
- (full day of care) 30**

***Maximum Group Size shall be applicable only to Type I child-care centers.**

Findings:

General: Based on Observation and interview, the facility failed to maintain ratios and group size. At 2:48 p.m. the surveyor and DCBS representative observed twelve (12) infants and toddlers ages four (4) months to twenty two (22) months with two (2) staff. The classroom was over group size by two (2) children and over ratio. At 3:05 p.m. a parent entered the facility and picked up his child (an infant). The surveyor noted that eleven (11) infants and toddlers were now present with two (2) staff. However, the classroom was still over group size and ratio. At 3:07 p.m., a five-year-old child exited through a back gate to go to the bathroom unsupervised and then his two-year-old sister stated that she needed to go to the bathroom. A staff person exited the infant/ toddler classroom to escort the two-year-old to the bathroom. By doing this, she left the infant/toddler classroom with a ratio of one (1) staff to eleven (11) children. The staff person returned at approximately 3:10 p.m. but then was observed to leave the infant/toddler classroom again. She entered the preschool classroom and picked up some books and then returned to the infant/toddler classroom.

Inspection Report**Director Requirements****Not In Compliance****245 - Regulatory Compliance/Staff in Charge****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:****(d) Ensure:**

- 1. Compliance with 922 KAR 2:090, 922 KAR 2:120, and this administrative regulation; and**
- 2. The designation of one (1) adult staff person in charge to carry out the director's duties if the director is not present in the child-care center during operating hours;**

Findings:

Based on observation, record review, and interviews, the Director failed to ensure compliance with 922 KAR 2:120. On 1/13/17 during the investigation, the surveyor informed the Director that she was over group size, ratio, and there was a lack of supervision. The Director told the cabinet representatives that a staff person was on a lunch break and would be returning soon. The Director identified the staff person by name and said that the staff person had left for lunch at 2:00 p.m. The surveyor asked why she had allowed this staff person to take a lunch break during a time when it would leave her out of ratio, group size and cause supervision issues. She told the cabinet representatives that it was due to labor laws. The staff person did not return from her lunch break until approximately 3:22 p.m. Furthermore, during a visit conducted on 1/17/17 at approximately 2:54 p.m. a staff person was observed working alone with nine (9) children in the preschool classroom. File review found that this staff person did not have an out of state background check and a child abuse/ neglect check on file. The staff person had moved to Lexington from Washington in December 2016. Additionally, a visit was conducted on 1/20/17 at approximately 3:34 p.m. The surveyor found that this staff person was again working alone in the preschool classroom with eight (8) children. The Director told the surveyor that the staff person did not have a child abuse/ neglect check or an out of state background check.

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, interview and review of documentation, as part of the ongoing investigation, a visit was made on 1/17/17. At approximately 2:54 p.m. the surveyor observed a male toddler take an outlet cover out of an outlet in the gated play area that is sectioned off from the cribs and high chairs. A staff person in the preschool classroom saw that the child was crawling around with the outlet cover in his hand. She left the preschool classroom and entered the infant/ toddler classroom and took the outlet cover from the child. The staff person remained in the infant/ toddler classroom leaving the other staff person alone with nine (9) children in the preschool classroom. File review found that this staff person who had been left alone did not have an out of state background check and a child abuse/ neglect check on file. The staff person had moved to Lexington from Washington in December 2016. The staff person stated that today was her first day of employment. Additionally, a visit was conducted on 1/20/17 at approximately 3:34 p.m. The surveyor found that this staff person was again working alone in the preschool classroom with eight (8) children. The Director told the surveyor that the staff person did not have a child abuse/ neglect check or an out of state background check.

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 Observation, interview and review of documentation, as part of the ongoing investigation, a visit was made on 1/17/17. At approximately 2:54 p.m. the surveyor observed a male toddler take an outlet cover out of an outlet in the gated play area that is sectioned off from the cribs and high chairs. A staff person in the preschool classroom saw that the child was crawling around with the outlet cover in his hand. She left the preschool classroom and entered the infant/ toddler classroom and took the outlet cover from the child. The staff person remained in the infant/ toddler classroom leaving the other staff person alone with nine (9) children in the preschool classroom. File review found that this staff person who had been left alone did not have an out of state background check and a child abuse/ neglect check on file. The staff person had moved to Lexington from Washington in December 2016. The staff person stated that today was her first day of employment. Additionally, a visit was conducted on 1/20/17 at approximately 3:34 p.m. The surveyor found that this staff person was again working alone in the preschool classroom with eight (8) children. The Director told the surveyor that the staff person did not have a child abuse/ neglect check or an out of state background check.

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 during the investigation, the surveyor found that a staff person working on 1/17/17 did not have documentation of being free of TB on file.

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 Interviews, the facility failed to provide an experience to promote a child's emotional, social and well being. During the investigation it was found that a staff person took a book away from two (2) female children ages (2) and three (3) years old because the two (2) year old child had "decked" the three (3) year old child with the book. Based on interview conducted on 1/13/17, the staff person made the following statements when interviewed by the cabinet representatives: "I was just playing; I wasn't intentionally trying to hurt them. I had the book in my hand and said how would you like it if I did this?" The staff person demonstrated what she like to do by putting her hand on the surveyor's shoulder and tapping the surveyor's shoulder in a quick soft motion. She stated that she said to the two-year-old child. "We don't like when we get hit like this." The surveyor asked if she had the book in her hand when she did that. She stated, "Yes, the book was in my hand. I placed it on her shoulder and said; how would you like it if your friends hit you? That is not nice. Then I made her apologize." The Director stated that she had asked the staff person about the incident and the staff person told her that she was just playing around and only "tapped" the girls on the shoulder with the book.

375 - Waiting Period

Not In Compliance

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

(8) A child shall not be required to stand or sit for a prolonged period of time:

- (a) During an activity;**
- (b) While waiting for an activity to start; or**
- (c) As punishment.**

Findings:

General: Based on Observation, the facility failed to ensure that a child does not sit for a prolonged period of time. At 2:48 p.m. on 1/13/17 the surveyor noted that a male infant was sitting in a Bumpo seat on the floor near the high chairs. At 3:15 p.m., the surveyor noted that the male infant was still sitting in the Bumpo seat. He was crying and squirming and obviously trying to squirm his way out of the seat. It is not known how long the child had been in the Bumpo seat prior to the cabinet representatives' arrival. Additionally, at 2:30 p.m. on 1/17/17 the surveyor noted that a ten (10) month old child was sitting in a high chair. At 3:28 p.m., the child was still sitting in the high chair. Finally, a staff person removed the infant from the high chair and changed his diaper.

Signature of
Provider/Representative

Title

Date