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**Inspection Report**

<b>Provider Name:</b> Creation Kingdom McConnells Trace	<b>Provider Information</b>	<b>CLR No:</b> L383584
<b>Provider Address:</b> 2935 Trailwood Ln., Lexington, KY, 40511	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 186
<b>Owner(s):</b> Creation Kingdom Mcconnells Trace, Llc		<b>Director(s):</b> Harless, Brittany

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 319450
<b>Date Initiated:</b> 01/10/2022 9:45 AM	<b>Date Concluded:</b> 01/10/2022 12:30 PM	
	<b>No. of Children Present:</b> 44	

<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>

**225 - Licensee Responsibility** **Not In Compliance**

**922 KAR 2:090. Section 8. General.**  
**(1) A licensee shall:**  
**(a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and**  
**(b) Protect and assure the health, safety, and comfort of each child.**

**Findings:**

General: Based on observation, this regulatory requirement was not met. A pile of children's coats, backpacks, and blankets were observed hanging out of the cubbies and onto the floor in the Blue Classroom. This is a contamination risk and allows the spread of germs.

**Director Requirements** **Not In Compliance**

**360 - Staff Evaluation** **Not In Compliance**

**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, six staff eligible for an annual performance review did not have documentation of a review on file at the facility. These staff had 12/9/19, 5/30/17, 11/12/20, 8/12/19, 12/28/20, and 8/11/20 hire dates.

**395 - Personnel File**

**Not In Compliance**

**922 KAR 2:090. Section 9. 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. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and**
- 5. The results of background checks conducted in accordance with 922 KAR 2:280;**

**Findings:**

Based on review of documentation and interview, the facility failed to maintain staff files. The following was found:

1. One staff person did not have a personnel file on site for the surveyor to review. The staff person in charge reviewed information on her computer and then identified the staff person's hire date as 12/6/21. This staff person was observed working with another staff person in Red Room #2 during the visit.
2. One staff person did not have a personnel file on site for the surveyor to review. The staff person in charge reviewed information on her computer and then identified the staff person's hire date as 12/13/21. This staff person was not present during the inspection; however, was identified as an active employee who was out sick.

**400 - Educational Requirements**

**Not In Compliance**

**922 KAR 2:090. Section 11. 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, this regulatory requirement was not met. Three staff (hire dates: 12/13/21, 12/6/21, and 7/12/21) did not have educational documentation on file.

**405 - 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, this regulatory requirement was not met. The following was found:

1. Two staff files (hire dates: 5/12/17 and 8/12/19) contained results of negative T.B. tests that are no longer current. Both tests were dated 12/3/19, which exceeds the two year time frame.
2. Three staff (hire dates: 12/13/21, 12/6/21, and 7/12/21) did not have T.B. documentation on file.

**435 - 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 completed within the first three (3) months of employment in a child-care program;**
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, 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 completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

**(17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.**

**Findings:**

General: Based on review of documentation and the Training Records Information System (TRIS), one staff person (hire date: 8/9/21) did not complete the required Orientation training. This staff person has been employed for more than three months.

**Inspection Report**

**Premises**

**Not In Compliance**

**585 - 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, this regulatory requirement was not met. The following was found:

1. The caulk had been removed between the handwashing sink and the wall in Red Classroom #1 which created an unfinished area, caulk residue and a gap between the wall and the sink. The staff person in charge stated during interview that the sink had to be repaired recently.
2. The exterior doors leading to the playground in two classrooms (Green Room and Blue Room) contained excessive chipped paint in several areas.

**695 - Toilet**

**Not In Compliance**

**922 KAR 2:120. Section 12. 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, this regulatory requirement was not met. The following was found:

1. One toilet in the Purple Classroom contained a brown residue inside the toilet bowl and a second toilet contained urine on the toilet seat.
2. The toilet tank lid in the Blue Classroom was broken in half.
3. The toilet in the Orange Classroom contained a dark ring inside of the toilet bowl.

**Hygienic Practices**

**Not In Compliance**

**725 - Soiled Diapers/Clothing**

**Not In Compliance**

**922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.**

- (8) Diapers or clothing shall be:**
  - (a) Changed when soiled or wet;**
  - (b) Stored in a covered container temporarily; and**
  - (c) Washed or disposed of at least once a day.**

**Findings:**

General: Based on observation, this regulatory requirement was not met. Red Classroom #2 had an uncovered trash can next to the changing table. Soiled diapers were observed in the trash can.

**First Aid/Medication**

**Not In Compliance**

**760 - 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, this regulatory requirement was not met. A first aid kit was being stored on top of the children's cubbies in the Purple Classroom (school age side of the room); therefore, it was accessible to the children.

**Outdoor Play Area**

**In Compliance**

**Inspection Report**

**Equipment**

**Not In Compliance**

**860 - Toys/Furniture**

**Not In Compliance**

**922 KAR 2:120. Section 13. 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, this regulatory requirement was not met. The following was found:

1. Nine children's cubbies in the Green Classroom and three cubbies in the Yellow Classroom, contained excessive crayon marks on the inside of them.
2. A plastic baby doll in the Orange Classroom was missing both legs.
3. Excessive tape residue was observed on top of three sets of cubbies in the Green Classroom.
4. A shelving unit positioned next to the cubbies in the Yellow Classroom had a chunk of wood missing on the top corner which created a sharp edge and an exposed screw.
5. A broken shelving unit was positioned between the toilet and the sink in the children's bathroom in the Orange Classroom. The top piece of wood was split down the middle and was no longer secured to the structure.
6. The vinyl surface on a red foam climber was split down the seam on both sides which exposed the foam filling. This piece of equipment was positioned in the hallway next to Red Classroom #2.
7. A classroom table was observed upside down on the floor in the Purple Classroom (four-year-old side of the room). One of the legs had been detached and was observed lying on top of the table.

**865 - Indoor/Outdoor Equipment**

**Not In Compliance**

**922 KAR 2:120. Section 13. 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, this regulatory requirement was not met. The following was found:

1. Two large green floor pillows in the Green Classroom contained numerous dark spots/stains.
2. A dustpan and broom were positioned beside the trash can in the Yellow Classroom. The dust pan contained a brown layer of dried substance/grime all over the top surface.
3. A blue area rug in the Orange Classroom was littered with numerous pieces of dirt and debris.
4. A large orange floor pillow in the Orange Classroom contained numerous dark spots/stains.
5. The refrigerator and freezer in the Wobble Classroom contained several dried liquid spills, milk residue, and pieces of hair on the interior surfaces.
6. A trash can lid in the Purple Classroom children's bathroom area, contained a dried brown substance.

**Transportation**

**In Compliance**

**Kitchen Requirements**

**In Compliance**

**Food Service**

**In Compliance**

**Meal Planning/Center Provides Meals**

**In Compliance**

**Meal Planning/Center Does Not Provide Meals**

**In Compliance**

**Children's Records**

**Not In Compliance**

**1245 - 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, this regulatory requirement was not met. The following was found:

1. One child (enrollment date: 10/20/21) did not have an immunization certificate on file.
2. One child (enrollment date: 11/22/21) had an immunization certificate on file that was no longer current as of 12/31/21.

**1250 - 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 child's file/enrollment paperwork did not have physician contact information.

**Written Documentation**

**Not In Compliance**

**1260 - 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, this regulatory requirement was not met. The emergency preparedness plan on file had not been updated since 9/28/20.

**1280 - 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, seven staff eligible for a staff professional development plan did not have documentation of a plan on file at the facility. These staff had 5/12/17, 12/9/19, 5/30/17, 11/12/20, 8/12/19, 12/28/20, and 8/11/20 hire dates.

**1285 - 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, this regulatory requirement was not met. The following was found:

1. The facility's last documented tornado and earthquake drills were 9/10/21; therefore, these drills are not conducted quarterly.
2. The facility's last documented fire drill was November 2021; therefore, these drills are not conducted monthly.

**1305 - Fire Drills**

**Not In Compliance**

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

**(12) A fire drill shall be:**

- (a) Conducted during hours of operation at least monthly; and**
- (b) Documented.**

**(13) An earthquake drill, shelter-in-place or lockdown drill, and tornado drill shall be:**

- (a) Conducted during hours of operation at least quarterly; and**
- (b) Documented.**

**Findings:**

General: Based on review of documentation and interview, this regulatory requirement was not met. A review of the 2021 emergency drill log found that no lockdown drills had been documented. The staff person in charge acknowledged this finding during the exit interview and stated that she did not believe the facility had started performing these drills yet.

**Inspection Report**

**Posted Documentation**

**Not In Compliance**

**1310 - 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 Web site 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 review of documentation, this regulatory requirement was not met. Letters from the DRCC office stating the facility had submitted an acceptable plan of correction were posted; however, the statement of deficiency and plan of correction from the 4/20/21 renewal inspection and a 8/16/21 investigation were not posted.

**1325 - Daily Activities**

**Not In Compliance**

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

**(1) 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 review of documentation, this regulatory requirement was not met. The Purple Classroom (school age side of the room), had a schedule of daily activities (lesson plan) posted that was dated July 2021; therefore, it was no longer current.

**Animals**

**In Compliance**

Signature of Provider/Representative

Title

Date