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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Mother Hen	Provider Information	CLR No: L383605
Provider Address: 155 Silver St., Beaver Dam, KY, 42320	Provider Type: LICENSED TYPE I	Capacity: 40 (Bldg 1: 40)
Owner(s): Mother Hen, LLC		Director(s): Riley, Nakisha Mae

Inspection Type: Renewal Application	Inspection Information	Inspection No: 306791
Date Initiated: 06/09/2021 9:55 AM	Date Concluded: 06/09/2021 1:40 PM	
	No. of Children Present: 44	

Inspection Report

Background Checks

Not In Compliance

10 - Submit background check

Not In Compliance

922 KAR 2:280 - Section 4. Procedures and Payments.

- (1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:
 - (a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member;
 - (b) Request that the prospective child care staff member complete and sign the:
 - 1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and
 - 2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and
 - (c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:
 - 1. Child abuse and neglect central registry pursuant to 922 KAR 1:470;
 - 2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and
 - 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.

Findings:

General: Based on review of documentation, a caregiver hired on 3/23/21, did not have a name-based child abuse/neglect check and a criminal records check on file.

Supervision

Not In Compliance

90 - 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 ensures the child is:
 - a. 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, a caregiver hired on 9/8/19, left seven (7) children unsupervised when she stepped out of the infants' room and went to the door of the two and three-year-olds' room. Interview determined the caregiver stepped out of the room to inform the other caregivers the surveyor was at the center. The children were unsupervised for less than approximately ten (10) seconds.

125 - Ratios and Group Size

Not In Compliance

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

(2) For an operating child-care center, minimum staff-to-child ratios and group size shall be maintained as established in the table established in this subsection.

Age of Children Ratio Maximum Group Size*

- Infant**
1 staff for 5 children 10
- Toddler 12 to 24 months**
1 staff for 6 children 12
- Toddler 24 to 36 months**
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.

(b) The age of the youngest child in the group shall determine the:

- 1. Staff-to-child ratio; and**
- 2. Maximum group size.**

Findings:

General: Based on observation, a caregiver cared for seven (7) children alone from 9:55 a.m. to 10:25 a.m. in the infants' room. The youngest child was two-months-old.

General Administration

Not In Compliance

180 - Plan of Correction/15 days

Not In Compliance

922 KAR 2:090. Section 15. Statement of Deficiency and Corrective Action Plans.

(2) Except for a violation posing an immediate threat as handled in accordance with KRS 199.896(5)(c), a child-care center shall submit a written corrective action plan to the cabinet or its designee within fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation.

Findings:

A PLAN OF CORRECTION WAS DUE ON 07/10/2021 AND AS OF 07/14/2021, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

210 - 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, a parent entered the center at 10:24 a.m., a second parent entered at 11:36 a.m., a third parent entered at 12:04 p.m., a fourth parent entered at 12:08 p.m., a fifth parent entered at 1:11 p.m., and a sixth parent entered at 1:33 p.m., and each did not wear a face mask. In addition, a food deliverer took food inside the infants' room and did not wear a face mask at 12:30 p.m.

A ten and a half (10 ½) inch step down was between the back porch to the outdoor play area ground. This created a hazard for children when this route was used to enter the outdoor play area.

290 - Fire Marshal/Zoning Compliance

Not In Compliance

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

(2) A child-care center shall be in compliance with the State Fire Marshal and the local zoning laws.

Findings:

General: Based on observation and review of documentation, forty-four (44) children were present at the center. A review of the Fire Marshal's inspection report determined the center's approved capacity was forty (40) children. Therefore, the center was not in compliance with the Fire Marshal's recommended capacity. In addition, after review of the drills participation log, forty-three (43) children were present on 4/7/21, forty-seven (47) children were present on 2/10/21, and forty-four (44) children were present on 1/5/21.

Inspection Report

Director Requirements

Not In Compliance

345 - 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, five (5) caregivers hired on 9/17/18, 7/17/19, 9/12/17, 9/8/19, and 6/13/17, did not have an annual written performance evaluation on file.

Employee Records

Not In Compliance

390 - 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, two (2) caregivers hired on 3/23/21 and 9/17/18, did not have documentation of education on file.

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, two (2) caregivers hired on 3/23/21 and 9/17/18, did not have a TB documentation on file. Also, a caregiver hired on 2/7/17, had a TB documentation on file dated 5/31/19.

405 - Adequate Substitute(s)

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(6) Child-care centers shall have available in case of need:

- (a) One (1) qualified substitute staff person for a Type II child-care center; or**
- (b) Two (2) qualified substitute staff persons for a Type I child-care center.**

(7) Each qualified substitute staff person shall:

- (a) Meet the staff requirements of this administrative regulation; and**
- (b) Provide the required documentation to verify compliance with this administrative regulation.**

Findings:

General: Based on interview, the center had only one (1) qualified substitute staff person available in case of need.

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 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, a caregiver hired on 9/8/19, did not completed six (6) hours of orientation.

Inspection Report

Programming

Not In Compliance

420 - 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) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:

- 1. Art or music;
- 2. Math or numbers;
- 3. Dramatic play;
- 4. Stories and books;
- 5. Science or nature;
- 6. Block building or stacking;
- 7. Tactile or sensory activity;
- 8. Multi-cultural exposure;
- 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 observation, there was no daily planned program of activities developed in the infants' room.

485 - Infant Sleep Position

Not In Compliance

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

(1) An infant shall sleep or nap on the infant's back unless the infant's health professional signs a waiver that states the infant requires an alternate sleeping position.

Findings:

General: Based on observation, an eleven-month-old child slept on a boppy pillow in a crib in the infants' room. The child did not have a signed waiver from a health professional to indicate the child required an alternate sleep position.

Premises

Not In Compliance

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, a twenty-seven (27) inch long area of rubber baseboard was not adhered to the wall near the window in the one-year-olds' room. An accumulation of dust was on a ceiling vent above the refrigerator in the infants' room. Also, an accumulation of dust was on a ceiling vent near the camera in the foyer.

625 - Infant/Toddler Indoor Space

Not In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.

- (1) Inside areas for infants and toddlers under twenty-four (24) months of age shall:
 - (a) Be separate from an area used by an older child;
 - (b) Not be an exit or entrance; and
 - (c) Have adequate crawling space for an infant or toddler away from general traffic patterns of the center.

Findings:

General: Based on observation, the preschool age and two and three-year-old children walked through the infants' room to utilize a restroom. Interview determined the restroom the children regularly used was inoperable.

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, a toilet had not been flushed after usage in a restroom near the two and three-year-olds' room.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Inspection Report

Outdoor Play Area

Not In Compliance

750 - Playground Conditions

Not In Compliance

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

(20) An outdoor play area shall be:

- (d) Safe from foreseeable hazard;**
- (e) Well drained;**
- (f) Well maintained;**
- (g) In good repair; and**
- (h) Visible to staff at all times.**

Findings:

General: Based on observation, black fabric weed block was above mulch under the Little Tikes Climber in the outdoor play area.

755 - Protective Surface

Not In Compliance

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

(21) A protective surface shall:

- (a) Be provided for outdoor play equipment used to:**
 - 1. Climb;**
 - 2. Swing; and**
 - 3. Slide; and**
- (b) Have a fall zone equal to the height of the equipment.**

Findings:

General: Based on observation, sparse mulch was under a Little Tikes Climber in the outdoor play area. A yellow/blue slide was placed on dirt and a thin layer of mulch in the outdoor play area.

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

1050 - Bottles

Not In Compliance

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

(9) Bottles shall be:

- (a) Individually labeled;**
- (b) Promptly refrigerated;**
- (c) Covered while not in use; and**
- (d) Consumed within one (1) hour of being heated or removed from the refrigerator.**

Findings:

General: Based on observation, an uncovered bottle was not in use in two (2) separate cribs in the infants' room. A Lansinoh breastmilk storage bag was in the refrigerator and not labeled to indicate whom it belonged to in the infants' room.

Children's Records

In Compliance

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 interview and review of documentation, the center's written evacuation plan was not updated each year in accordance with KRS 199.895. The evacuation plan was last updated on 2/1/17.

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, six (6) caregivers hired on 9/17/18, 7/17/19, 9/12/17, 9/8/19, 6/13/17, and 2/7/17, did not have an annual professional development plan on file.

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 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 observation, the center's current regular license was not posted.

1215 - 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 observation, the posted schedule of daily activities was not dated and only showed activities from 8:30 a.m. to 10:30 a.m. in the preschool room. There was no date on the posted schedule of daily activities in the two and three-year-olds' room, one-year-olds' room, and infants' room.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date