



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

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Inspection Report

Provider Name: Mansfield, Cristal Deneil	Provider Information	CLR No: C71014
Provider Address: 4306 Retreat Rd., Louisville, KY, 40219	Provider Type: CERTIFIED	Capacity: 6

Inspection Type: Annual Inspection	Inspection Information	Inspection No: 246128
Date Initiated: 08/09/2018 11:08 AM	Date Concluded: 08/09/2018 11:51 AM	
No. of Children Enrolled: 5	No. of Children Present: 5	

Inspection Report	
Background Checks	Not In Compliance
5 - Background check/left alone/dismissed/relocated	Not In Compliance
<p>922 KAR 2:280 - Section 3. Implementation and Enforcement.</p> <p>(1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.</p> <p>(2) A child care staff member hired on or after January 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and found to have no disqualifying offense prior to becoming a child care staff member; or</p> <p>(b)1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p>	
Findings:	
<p>General: Based on review of documentation and interview, the child care center failed to comply with regulations for background checks. Based on review of the certified family child care home's KARES report, there was no evidence of the completion of the required background checks for a staff member. Review of documentation revealed there was no records for the staff member. Observation revealed the individual was caring for six (6) children from the ages of six weeks old to seven years old at the time of survey. Interview with the provider revealed the staff member is currently employed and working at the child care home, but has not yet completed the the National Background Check Program (NBCP).</p> <p>The provider, did not have a personnel file and failed to provide proof of a criminal record check or child abuse and neglect check, (CAN).</p> <p>Interview with the provider revealed the requested documentation was unavailable at the time of survey.</p>	
Supervision	In Compliance
General Administration	Not In Compliance
160 - Health, safety and comfort	Not In Compliance
<p>922 KAR 2:100 - Section 12. Care Requirements for a Provider.</p> <p>(1) A provider shall ensure the health, safety, and comfort of each child.</p>	
Findings:	
<p>General: Based on observation, the child care home failed to comply with regulations regarding general administration. Observation in kitchen revealed a one-year-old child was not strapped into the high chair's seatbelts; the high chair had seatbelts available.</p>	

Inspection Report

180 - Record Maintenance

Not In Compliance

922 KAR 2:100 - Section 18. Records.

(6) A certified family child-care home provider shall keep all records for five (5) years.

Findings:

General: Based on review of documentation and interview with the provider, the child care home failed to maintain provider requirements. Interview with the provider revealed the children's records are not currently available at the child care home as the records are located in the trunk of her car. The car was not present or accessible at the child care home at the time of survey.

Provider Requirements

In Compliance

Provider Records

Not In Compliance

240 - Provider CPR/First Aid

Not In Compliance

922 KAR 2:100 - Section 2. Certification Process.

(4) An applicant shall be currently certified by an agency approved in accordance with 922 KAR 2:240 in infant and child:

(a) Cardiopulmonary resuscitation (CPR); and

(b) First aid.

Findings:

General: Based on review of documentation and interview, the child care home failed to comply with the regulations regarding provider records. Review of documentation revealed there was no record for the provider verifying that she had current CPR and First Aid certification. Interview with the provider revealed the requested documentation was unavailable at the time of survey.

250 - Adult in home/Assistant TB

Not In Compliance

922 KAR 2:100 - Section 2. Certification Process.

(5) An adult living in the home of the applicant, present during the hours of operation, or having unsupervised contact with a child in care, and the applicant's assistant shall:

(b) Submit a copy of negative tuberculin results or a health professional's statement documenting that the adult is free of active tuberculosis.

Findings:

Based on review of documentation and interview, the child care home failed to maintain employee records in accordance with regulations. Review documentation, revealed there was no record of tuberculin results or a statement from a health professional that the individual is free of active tuberculosis for the provider and the staff in charge. Interview with the provider revealed this information was unavailable at the time of survey.

260 - Orientation/training plan

Not In Compliance

922 KAR 2:100 - Section 2. Certification Process.

(9) Within three (3) months of submission to the cabinet of a complete OIG-DRCC-03, an applicant shall:

(a) Demonstrate completion of six (6) hours of cabinet-approved training in accordance with KRS 199.8982(1)(a)6; and

(b) Develop and implement a written plan for obtaining nine (9) hours of annual cabinet-approved training as required in Section 10(1) of this administrative regulation.

Findings:

General: Based on review of documentation and interview, the child care home failed to maintain provider records in accordance with regulations. Review documentation, revealed there was no record for the provider verifying that state approved orientation training had been completed. Interview with the provider revealed this documentation was not on file at the time of survey.

270 - Assistant CPR/FA, if applicable

Not In Compliance

922 KAR 2:100 - Section 10. Standards for the Provider.

(6) Prior to being left alone with a child, an assistant shall be certified by a cabinet-approved agency in infant and child:

(a) CPR; and

(b) First aid.

Findings:

General: Based on review of documentation and interview, the child care home failed to comply with the regulations regarding provider records. Review of documentation revealed there was no record for the assistant verifying current CPR and First Aid certification. Further observation revealed at the time of survey the assistant was the sole caregiver for six (6) children from six weeks old to seven years old. Interview with the provider revealed the CPR and First Aid certification had not been completed for the assistant.

Programming

Not In Compliance

290 - Infant sleep position

Not In Compliance

922 KAR 2:100 - Section 12. Care Requirements for a Provider.

(7) An infant shall sleep and 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, the child care home failed to comply with regulations regarding programming. Observation in room #1 revealed a six-week-old infant sleeping in a bouncy seat from the time of survey at 11:08am to 1:02pm.

Inspection Report

310 - Activities

Not In Compliance

922 KAR 2:100 - Section 12. Care Requirements for a Provider.

- (13) A certified family child care home shall provide a daily planned program:**
- (d) That offers a variety of creative activities, such as:**
- 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; and**
 - 11. An opportunity for a child to:**
 - a. Have some free choice of activities;**
 - b. If desired, play apart from the group at times; and**

Findings:

General: Based on observation and interview, the child care home failed to comply with regulations regarding programming. Interview with the provider revealed the children in the child care home do not participate in outdoor play, and there is no defined space in the child care home for a gross motor area.

Premises

Not In Compliance

345 - Harmful Items Inaccessible

Not In Compliance

922 KAR 2:100 - Section 11. The General Requirements of the Family Child-Care Home Environment.

- (3) The areas of the home that are accessible to children in care shall be free from items harmful to children including the following items:**
- (a) Cleaning supplies, poisons, paints, and insecticides;**
 - (b) Knives, scissors, and sharp objects;**
 - (c) Power tools, lawn mowers, hand tools, nails, and other equipment;**
 - (d) Matches, cigarettes, lighters, combustibles, and flammable liquids;**
 - (e) Alcoholic beverages;**
 - (f) Plastic bags; and**
 - (g) Litter and rubbish.**

Findings:

General: Based on observation, the child care home failed to comply with regulations regarding general administration. Observation in room #1 revealed an open container of "Fabuloso" cleaner with no lid sitting on the floor accessible to children; the label on the bottle contained a warning statement that said "keep out of reach of children". It was observed that six (6) children were present in the room at the time of survey. Observation in room #1 revealed a pair of adult size metal scissors sitting on a desk accessible to children. Further observation revealed six (6) children present in the aforementioned room upon the surveyor arrival to the child care home. In the bathroom, a wrench was sitting on the bathtub accessible to children.

355 - Covered Outlets

Not In Compliance

922 KAR 2:100 - Section 11. The General Requirements of the Family Child-Care Home Environment.

- (5) Electrical outlets not in use shall be covered.**

Findings:

General: Based on observation, the child care home failed to comply with regulations regarding general administration. Observation in the following rooms revealed outlets were missing protective coverings; room #1, room #5, room #6 and room #7. In room #7, a telephone outlet that had no cover over the outlet, exposing wiring from the inside, was accessible to children.

Hygienic Practices

Not In Compliance

440 - Adult hand washing

Not In Compliance

922 KAR 2:100 - Section 12. Care Requirements for a Provider.

- (5) A provider and an assistant shall:**
- (a) Wash hands with liquid soap and warm running water:**
- 1. Before and after diapering a child;**
 - 2. Before and after feeding a child;**
 - 3. After toileting or assisting a child with toileting;**
 - 4. After handling animals;**
 - 5. Before dispensing medication;**
 - 6. After caring for a sick child;**
 - 7. After wiping or blowing a child's or own nose; and**
 - 8. After smoking or vaping; or**
- (b) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (a) of this subsection. The provider or assistant shall wash the provider or assistant's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on observation, the child care home failed to comply with regulations regarding hygiene practices. Observation in the kitchen revealed the assistant did not wash her hands before preparing lunch for five (5) children who were present in the child care home.

Inspection Report

First Aid/Medication

Not In Compliance

485 - Medication Locked/First Aid/Diaper cream/Sunscreen/Toothpaste

Not In Compliance

922 KAR 2:100 - Section 15. Medication and First Aid.

- (1) Medication, including medicine that requires refrigeration, shall be stored in a locked container or area with a lock unless the medication is:**
- (a) A first aid supply and is maintained in accordance with subsection (4) of this section;**
 - (b) Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;**

Findings:

General: Based on observation, the child care home failed to comply with regulations regarding first aid medication. Observation in room #1 revealed a prescription container with a child's name on it sitting on top of a file cabinet and was not in a locked place.

Outdoor Play Area

Not Applicable

Equipment

Not In Compliance

535 - Toys

Not In Compliance

922 KAR 2:100 - Section 11. The General Requirements of the Family Child-Care Home Environment.

- (8) Equipment and toys shall be:**
- (a) Designated by the manufacturer as developmentally appropriate to the age of children in care;**
 - (b) In sufficient quantity for the number of children in care; and**
 - (c) Safe, sound, clean, and in good repair.**

Findings:

General: Based on observation, the child care home failed to comply with regulations regarding equipment. Observation in room #5 revealed a kitchen set in the dramatic play area had no available toy food or toy dishes. Further observation revealed there was no appropriate reading material for the age of children present; the children ranged in age from six weeks to seven years old. The reading material provided was a dictionary and encyclopedias located on the bookshelf. There was also no other available toys available in the aforementioned room, other than a multicolored rattle toy. The multi colored musical toys in room #7 revealed were not maintained and were not used according to the manufacturer's safety specifications; the batteries were nonoperational.

555 - Infant rest time

Not In Compliance

922 KAR 2:100 - Section 12. Care Requirements for a Provider.

- (9) 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 is changed:**
 - a. Weekly; or**
 - b. Immediately if it is soiled or wet;**
 - 3. No loose bedding, such as a bumper or a blanket; and**
 - 4. No toys or other items except for the infant's pacifier; or**

Findings:

General: Based on observation, the child care home failed to comply with regulations regarding equipment. Observation in room #7 revealed a crib with no manufacture dates. Therefore, compliance with the consumer product safety commission standard established in 16CFR 1219-1220 could not be verified. Further observation revealed inside the crib was three (3) thin changing pads, one on top of another, in place of the crib mattress.

Transportation

Not Applicable

Food Service/Food Program

Not In Compliance

635 - Milk requirements

Not In Compliance

922 KAR 2:100 - Section 14. Food Requirements.

- (1) A provider and an assistant shall:**
- (c) Serve:**
- 1. Breast milk or iron-fortified formula to a child:**
 - a. Age birth to twelve (12) months; or**
 - b. Beyond twelve (12) months of age as documented by the parent or the child's physician;**
 - 2. Pasteurized whole milk to a child age twelve (12) months to twenty-four (24) months; or**
 - 3. Pasteurized skim or low fat one (1) percent milk to a child age twenty-four (24) months to school-age.**

Findings:

General: Based on observation, the child care home failed to comply with regulations regarding food service. Observation in the kitchen revealed a one year old child, who was sitting in a high chair, was served 2% milk for consumption.

Inspection Report

650 - Lunch/Dinner

Not In Compliance

922 KAR 2:100 - Section 14. Food Requirements.

(9) Lunch and dinner shall include:

- (a) Milk;**
- (b) Protein source;**
- (c) 1. Two (2) vegetables;**
2. Two (2) fruits; or
- 3. One (1) fruit and one (1) vegetable; and**
- (d) A whole grain or an enriched grain bread.**

Findings:

General: Based on observation, the child care home failed to comply with regulations regarding food service. Observation in the kitchen revealed the assistant prepared the lunch meal, to include pizza rolls, sliced oranges, and milk. Therefore, the prepared lunch did not contain all of the required components.

Food Service

Not In Compliance

655 - Sanitary Preparation/Storage of Food

Not In Compliance

922 KAR 2:100 - Section 14. Food Requirements.

(1) A provider and an assistant shall:

- (a) Use sanitary procedures when preparing and serving food;**
- (b) Refrigerate perishable food and beverages; and**

Findings:

General: Based on observation, the child care home failed to maintain food service in accordance with regulations. The microwave in the kitchen had food debris and grease buildup on the inside walls and on the inside of the doors.

670 - Second servings

Not In Compliance

922 KAR 2:100 - Section 14. Food Requirements.

(4) Second servings shall be available to a child.

Findings:

General: Based on observation, the child care home failed to comply with regulations regarding food service. Observation in the kitchen revealed a two-year-old child asked two different times for seconds of the lunch meal served. The assistant ignored his request and then was observed to remove the lunch plate from in front of the aforementioned child and throw it in the garbage can. The staff in charge then directed the child to get up from the lunch table and return back to the classroom.

680 - Food in appropriate amount and type

Not In Compliance

922 KAR 2:100 - Section 14. Food Requirements.

(6) Meals shall:

- (a) Be served in an amount appropriate to the age of the child;**
- (b) Include appropriate types of food according to the age of the child;**

Findings:

General: Based on observation, the child care home failed to comply with regulations regarding food service. Observation in the kitchen revealed a lunch meal served to a one-year-old child was pizza rolls and sliced oranges in an inappropriate portion and size for the aforementioned child present. Further observation revealed the aforementioned child was having trouble handling the sliced orange into his mouth.

695 - Weekly Menu

Not In Compliance

922 KAR 2:100 - Section 14. Food Requirements.

(10) A weekly menu shall be:

- (a) Prepared;**
- (b) Dated;**
- (c) Available to a parent of a child in care or the cabinet upon request; and**
- (d) Kept on file for thirty (30) calendar days.**

Findings:

General: Based on observation and interview, the child care home failed to comply with regulations regarding food service. Observation in the kitchen revealed the weekly menu was unavailable for review.

Interview with the assistant revealed the requested documentation was unavailable at the time of survey.

705 - Bottle Preparation By Parent, if applicable

Not In Compliance

922 KAR 2:100 - Section 14. Food Requirements.

(12) Unless provided as part of the fee for child care or the provider is a participant in the food program, an infant's formula shall be prepared, labeled, and provided by the parent.

Findings:

General: Based on observation and interview, the child care home failed to comply with regulations regarding food service. Observation in room #1 revealed a container of "Similac" infant powder formula. Interview with the provider revealed the parents provide the powder formula and the staff prepare, measure, and mix it for consumption for the infant.

Inspection Report

Children's Records

Not In Compliance

730 - Immunization

Not In Compliance

922 KAR 2:100 - Section 18. Records.

(1) A provider 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, the child care home failed to maintain children's records in accordance with regulatory requirements. The provider did have a written record of a current copy of an immunization certificate for the six (6) children present.

Interview with the provider revealed this documentation was unavailable at the time of survey.

735 - Children's information

Not In Compliance

922 KAR 2:100 - Section 18. Records.

(1) A provider 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 family child-care home; and**
- 3. To contain:**

a. Identifying information about the child, which includes, at minimum, the child's name, address, and date of birth;

b. Contact information to enable the provider 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 family child-care home;

e. The name and phone number of each person to be contacted in an emergency situation involving or impacting the child;

f. Authorization by the parent for the provider to seek emergency medical care for the child in the parent's absence; and

Findings:

General: Based on review of documentation and interview, the child care home failed to maintain children's records in accordance with regulatory requirements. The child care home provider could not provide a copy of a written record for the six (6) children present at the time of survey.

Interview with the provider revealed the children's records are not currently available at the child care home as the records are located in the trunk of her car; the car was not present or accessible at the child care home at the time of survey.

745 - Written child care agreement

Not In Compliance

922 KAR 2:100 - Section 19. Certified Family Child-Care Home Program.

The certified family child-care home provider shall:

(9) Maintain a written child care agreement with each child's parent, including the name of each person designated by the parent to pick up the child; and

Findings:

General: Based on review of documentation and interview, the child care home failed to maintain children's records in accordance with regulatory requirements. The child care home could not provide a copy of a written record for the six (6) children present at the time of survey that indicated parent consent for a person authorized to pick up the child from care.

Interview with the provider revealed the children's records are not currently available at the child care home as the records are located in the trunk of her car; the car was not present or accessible at the child care home at the time of survey.

Written Documentation

Not In Compliance

750 - Liability insurance

Not In Compliance

922 KAR 2:100 - Section 2. Certification Process.

(2) An applicant for certification shall:

(b) Obtain commercial liability insurance of at least \$50,000 per occurrence; and

Findings:

General: Based on review of documentation and interview, the child care home failed to maintain written documentation in accordance with regulations. Evidence of liability coverage for the child care home was not presented for review.

Interview with the staff in charge revealed this documentation was unavailable at the time of survey.

Inspection Report

755 - Zoning

Not In Compliance

922 KAR 2:100 - Section 2. Certification Process.

(2) An applicant for certification shall:

(c) Submit within ninety (90) days of initiation of the application process:

3. Written documentation from the local authority showing the child-care home is in compliance with local zoning requirements;

Findings:

General: Based on review of documentation and interview, the child care home failed to maintain written documentation in accordance with regulations. There was no available written documentation from the local authority showing the child care home is in compliance with the local zoning requirements.

Interview with the staff in charge revealed this documentation was unavailable at the time of survey.

760 - Attendance Records Standards

Not In Compliance

922 KAR 2:100 - Section 10. Standards for the Provider.

(12) A provider shall:

(b) Maintain 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 provider through the Child Care Assistance Program.

Findings:

General: Based on review of documentation and interview, the child care home failed to maintain written documentation in accordance with regulations. There was no available written documentation for maintaining daily attendance records documenting the arrival and departure of the six (6) children present in the child care home.

Interview with the staff in charge revealed this documentation was unavailable at the time of survey.

765 - Fire Drill Requirements

Not In Compliance

922 KAR 2:100 - Section 11. The General Requirements of the Family Child-Care Home Environment.

(18) A fire drill shall be conducted during hours of operation:

(a) At least monthly; and

(b) Documented.

Findings:

General: Based on review of documentation and interview, the child care home failed to maintain written documentation in accordance with regulations. The child care home failed to present the missing fire drill logs within the year for review at the time of survey, for the months of Jan, Apri, May, Jun, July.

Interview with the provider revealed the drills were conducted; however, she did not present this documentation at the time of survey.

770 - Earthquake Drill and Tornado Drill Requirements

Not In Compliance

922 KAR 2:100 - Section 11. The General Requirements of the Family Child-Care Home Environment.

(19) 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 and interview, the child care home failed to maintain written documentation in accordance with regulations. The child care home failed to present earthquake and tornado drill logs within the year for review at the time of survey for the months of January, Apri, May, June, and July.

Interview with the provider revealed the drills were conducted; however, she could not locate the documentation at the time of survey.

775 - Attendance Records

Not In Compliance

922 KAR 2:100 - Section 18. Records.

(1) A provider 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 provider through the Child Care Assistance Program;

Findings:

General: Based on review of documentation and interview, the child care home failed to maintain written documentation in accordance with regulations. There was no available written documentation maintaining the daily attendance records, to include the arrival and departure times, for the six (6) children present in the child care home.

Interview with the assistant revealed this documentation was unavailable at the time of survey. Interview with the provider revealed there are children present in the child care home that receive child care subsidy.

795 - Evacuation Plan Records

Not In Compliance

922 KAR 2:100 - Section 18. Records.

(7)(a) A certified family child-care home provider shall have a written evacuation plan in the event of fire, natural disaster, or other threatening situation that may pose a health or safety hazard to a child in care in accordance with KRS 199.895.

Findings:

General: Based on review of documentation and interview with the provider, the child care home failed to maintain written documentation in accordance with regulatory requirements. The child care home provider was unable to present for review a current 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 that had been submitted to the local emergency management team.

Interview with the provider revealed the requested documentation was unavailable at the time of survey.

Inspection Report

800 - Policies

Not In Compliance

922 KAR 2:100 - Section 19. Certified Family Child-Care Home Program.

The certified family child-care home provider shall:

- (1) Develop written information that specifies the:**
 - (a) Rate for child care;**
 - (b) Expected frequency of payment for the program;**
 - (c) Hours of operation; and**
 - (d) Policy regarding:**
 - 1. Late fees;**
 - 2. Holidays;**
 - 3. Vacation;**
 - 4. Illness; and**
 - 5. Emergency pick up;**

Findings:

General: Based on review of documentation and interview with the provider, the child care home failed to maintain written documentation in accordance with regulatory requirements. The child care home provider was unable to present for review the policies and procedures for the following; rate for child care, expected frequency of payment, hours of operation, late fees, holidays, vacation days, illness, and emergency pick up.

Interview with the provider revealed the requested documentation was unavailable at the time of survey.

Posted/Available Documentation

In Compliance

Animals

Not Applicable

Posted Requirements

In Compliance

Signature of
Provider/Representative

Title

Date