



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Southern Branch
116 Commerce Ave
London, KY 40744

Adam Mather
INSPECTOR GENERAL

Phone: (606) 330-2030 Fax: (606) 330-2056
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: Pemberton, Carol	Provider Information	CLR No: C71017
Provider Address: 2507 Blair Road, Russell Springs, KY, 42642	Provider Type: CERTIFIED	Capacity: 6

Inspection Type: Renewal Application	Inspection Information	Inspection No: 319104
Date Initiated: 03/28/2022 9:45 AM	Date Concluded: 03/28/2022 11:00 AM	
No. of Children Enrolled: 13	No. of Children Present: 1	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
General Administration	Not In Compliance

160 - Health, safety and comfort **Not In Compliance**

922 KAR 2:100 - Section 13. Care Requirements for a Provider.
(1) A provider shall ensure the health, safety, and comfort of each child.

Findings:

General: Based on observation, the surveyor found a bottle of hand sanitizer placed on a white shelf in the kitchen area located under a wall mounted television that stated "Keep Out of the Reach of Children" on the back label. The bottle of hand sanitizer was observed to be within reach of the children.

Provider Requirements	In Compliance
Provider Records	Not In Compliance

245 - Adult in home/Assistant **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:
(a) Complete background checks in accordance with 922 KAR 2:280;

Findings:

General: Based on review of documentation, the surveyor found that an adult's (Start Date: 01/05/18) file did not contain documentation of background checks submitted through the Kentucky National Background Check Service. Based on review of the Kentucky National Background Check Service, the adult did not have a completed background check. The surveyor did not observe the adult to be present at the providers home on 03/28/22. During interview, the provider stated that the adult lives in the home and has not worked alone with the children. The provider stated that the adult turned eighteen (18) years of age recently and did not have a completed background check through the Kentucky National Background Check Service. The adult's file did not contain a completed Child Abuse/Neglect Background Check or Criminal Records Background Check.

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:

General: Based on review of documentation, the surveyor found that an adult's (Start Date: 01/05/18) file did not contain documentation of a current TB skin test or a statement from a health professional stating that the adult was free from active tuberculosis. During interview, the provider stated that the adult lives in the home and has not had an up-to-date TB skin test.

Inspection Report

265 - Provider Training Requirements

Not In Compliance

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

(1)(a) Between July 1 and June 30 of the following calendar year, a provider shall complete at least nine (9) hours of cabinet-approved early care and education training beginning with the second year of operation, including one and one-half (1½) hours of cabinet-approved pediatric abusive head trauma training in accordance with KRS 199.8982(2) to be completed:

- 1. Within the second year of employment or operation in child care; and
2. Every subsequent five (5) years of employment or operation in child care.

(b) A provider or assistant's compliance with the training in accordance with paragraph (a) of this subsection or subsection (8) of this section shall be verified through the cabinet-designed database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on review of documentation and ECE-TRIS, the surveyor found that a provider (DOH: 01/05/18) obtained zero (0) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21. During interview, the provider stated that she completed fifteen (15) hours of training; however, the provider stated that she started completing the trainings in September 2021.

Programming

In Compliance

Premises

Not In Compliance

345 - Harmful Items Inaccessible

Not In Compliance

922 KAR 2:100 - Section 12. 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) Plastic bags; and
(f) Litter and rubbish.

Findings:

General: Based on observation, the surveyor found an unlocked cabinet drawer located near the entrance into the dining/kitchen area of the providers home that contained what appeared to be pliers, two (2) small containers of nails and other items. The provider stated that she would move the items to make them inaccessible to the children.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

525 - Outdoor Play Area Safe

Not In Compliance

922 KAR 2:100 - Section 12. The General Requirements of the Family Child-Care Home Environment.

(13) An outdoor play area shall be free of unavoidable danger or risk.

Findings:

General: Based on observation, the surveyor found the following:

- 1. Two (2) metal poles and one (1) long piece of wood with splintered edges placed underneath a wooden play structure on the playground.
2. A piece of wood that was no longer attached and exposing a nail located at the end of a ramp on a wooden play structure located on the playground.
3. A wheel barrow located on the playground that contained a piece of wood that had two (2) exposed nails and one (1) shovel.
4. A cement block located on the playground near a porch. The cement block created a tripping hazard for the children.
5. A large piece of plywood placed on the ground near a cement block on the playground.
6. Loose garden hoses located on the playground. During interview, the provider stated that the garden hoses are used for her dogs; however, she would relocate the garden hoses.
During interview, the provider stated that she would move the items mentioned.

Equipment

In Compliance

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

Not In Compliance

730 - Immunization

Not In Compliance

922 KAR 2:100 - Section 19. 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, the surveyor found that a child's (DOE: 07/12/21) file contained an immunization certificate that was no longer current as of 12/30/21.

735 - Children's information

Not In Compliance

922 KAR 2:100 - Section 19. 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;**

Findings:

General: Based on review of documentation, the surveyor found the following:

1. A child's (DOE: 07/12/21) file did not contain the name of the child's preferred family physician or contact telephone number or the contact telephone number for the child's preferred hospital.
2. A child's (DOE: 11/18/16) file did not contain information about the child's medical history regarding any allergies the child may have.

Written Documentation

Not In Compliance

785 - Fire Drills

Not In Compliance

922 KAR 2:100 - Section 19. Records.

(5) A certified family child-care home provider shall maintain a written record of:

(b) Monthly practiced fire drills detailing the date, time, and participants in accordance with Section 12(19) of this administrative regulation;

Findings:

General: Based on review of documentation, the surveyor found that a fire drill was not documented for the month of February 2022. During interview, the provider stated that the fire drill was completed; however, the provider stated that she did not maintain a written record of the drill.

Posted/Available Documentation

In Compliance

Animals

In Compliance

Posted Requirements

In Compliance

Signature of Provider/Representative

Title

Date