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Inspection Report

Provider Name: Happy Hearts Christian Daycare	Provider Information	CLR No: L383793
Provider Address: 3949 Main Street, Clay City, KY, 40312	Provider Type: LICENSED TYPE I	Capacity: 63(Bldg 1: 88)
Owner(s): happy hearts christian daycare, L.L.C.		Director(s): Mattingly, Keshia Rae

Inspection Type: Renewal Application	Inspection Information	Inspection No: 289974
Date Initiated: 09/04/2019 11:40 AM	Date Concluded: 09/04/2019 1:30 PM	
	No. of Children Present: 20	

Inspection Report	
Background Checks	In Compliance
Supervision	Not In Compliance
90 - Children Supervised	Not In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(3)(a) Each center shall maintain a child-care program that assures each child will be:</p> <p>1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:</p> <p>a. Within scope of vision and range of voice; or</p> <p>b. For a school-age child, within scope of vision or range of voice;</p>	
<p>Findings:</p> <p>General: Based on observation and interview, the surveyor found the following:</p> <p>1. A one-year-old child was sitting in a high chair in the preschool classroom watching television with two-year-old to five-year-old children. Staff stated that the child was one (1) year old. The one's teacher left four (4) other one-year-old children unattended in the one's classroom when she went to the preschool classroom to retrieve the one-year-old that had been watching television.</p> <p>2. The one's teacher stepped outside of the classroom to sweep and clean high chairs and left five (5) one-year-old children unattended in the one's classroom. Staff stated that they thought it was okay for the teacher to step outside the classroom barrier and leave the children inside as long as the teacher could still see and hear all of the children. However, the staff's attention was devoted to the task of sweeping the floor and not on supervising the children inside the classroom.</p>	
Staffing Requirements	In Compliance

Inspection Report		
General Administration		Not In Compliance
255 - Notification of Changes		Not In Compliance
<p>922 KAR 2:090. Section 12. Reports.</p> <p>(4)(a) Written notification of the following shall be:</p> <ol style="list-style-type: none"> 1. Made to the cabinet, in writing, to allow for approval before implementation: <ol style="list-style-type: none"> a. Change of ownership; b. Change of location; c. Increase in capacity; d. Change in hours of operation; e. Change of services in the following categories: <ol style="list-style-type: none"> (i) Infant; (ii) Toddler; (iii) Preschool-age; (iv) School-age; (v) Nontraditional hours; or (vi) Transportation; or f. Addition to or reduction of the square footage of a child-care center's premises; <p>Findings:</p> <p>General: Based on observation, interview, and review of previous inspections conducted at the center, the surveyor found that the preschool classroom has been divided up so that there is now a separate one's classroom, two's classroom, and preschool classroom. At time of previous inspection in July 2018 and August 2018 there was only a large classroom for preschool and one (1) smaller classroom for one's and two's. A new classroom space for one's has been added without it being properly inspected and measured prior to being utilized. Staff stated they did not realize a change of space needed to be reported since the space was already licensed and just being divided differently.</p>		
Director Requirements		Not In Compliance
350 - Health, Safety, Comfort		Not In Compliance
<p>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</p> <p>(1) A director shall:</p> <p>(l) Assure the health, safety, and comfort of each child;</p> <p>Findings:</p> <p>General: Based on observation and interview, the surveyor found that a television electrical wire was dangling down behind a shelf utilized to store toys in the school age classroom. The wire was accessible to the children and creates a risk to the children. Staff was aware of the wire being accessible but stated they had not thought of it as being a safety risk.</p>		
Employee Records		Not In Compliance
390 - Educational Requirements		Not In Compliance
<p>922 KAR 2:090. Section 11. Staff Requirements.</p> <p>(1) Child-care center staff:</p> <p>(a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a:</p> <ol style="list-style-type: none"> 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; <p>Findings:</p> <p>General: Based on review of documentation and interview, the surveyor found that a staff file (DOH: 6/30/19) did not contain documentation of education in the form of a high school diploma, GED, or Commonwealth Childcare Credential. Staff-in-Charge stated that the staff member was supposed to bring a new copy because the first copy provided had been lost.</p>		

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

Findings:

General: Based on review of documentation and review of ECE-TRIS, the following were found:

1. A staff file (DOH: 4/27/18) did not contain fifteen (15) hours of annual training. Review of ECE-TRIS, revealed that only six and a half (6.5) hours of annual training had been completed for 4/27/18 - 4/26/19.
2. A staff file (DOH: 4/27/18) did not contain fifteen (15) hours of annual training. Review of ECE-TRIS, revealed that only one (1) hour of annual training had been completed for 4/27/18 - 4/26/19.
3. A staff file (DOH: 5/2/18) did not contain fifteen (15) hours of annual training. Review of ECE-TRIS, revealed that only seven and a half (7.5) hours of annual training had been completed for 5/2/18 - 5/1/19.
4. A staff file (DOH: 4/27/18) did not contain documentation of completing Pediatric Abusive Head Trauma (PAHT) training. Review of ECE-TRIS, revealed that PAHT had not been completed.
5. A staff file (DOH: 6/12/18) did not contain documentation of completing Pediatric Abusive Head Trauma (PAHT) training. Review of ECE-TRIS, revealed that PAHT had not been completed.
6. A staff file (DOH: 3/25/19) did not contain documentation of completion of six (6) hours of orientation training. Review of ECE-TRIS, revealed that orientation had not been completed.

Based on interview, staff were not aware of the deficiencies in training.

Programming

Not In Compliance

430 - Electronic Viewing/Listening Devices

Not In Compliance

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

- (4) The child-care center shall provide a daily planned program:**
- (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 the following:**
- 12. Use of electronic viewing and listening devices if the:**
- a. Material is appropriate to the child using the equipment;**
 - b. Material does not include any violence, adult content viewing, or inappropriate language;**
 - c. Viewing or individual listening is limited to two (2) hours per day;**
 - d. Viewing or listening is discussed with parents prior to viewing or listening; and**
 - e. Viewing or listening is designed as an educational tool.**
- (5) A child who does not wish to use the electronic devices during the planned program shall be offered other appropriate activities.**

Findings:

General: Based on observation and interview, the surveyor found that the two-year-old children and preschool age children were watching Scooby Doo on the television upon the surveyor entering the facility. Staff stated that the children watch television while washing hands and preparing for lunch each day. Staff stated that the children are supposed to be watching Caillou which is on the lesson plan. Review of the current lesson plan revealed that Caillou or television time were not included on the lesson plan. Therefore, the TV time was not used as an educational tool.

465 - Electronic Viewing/Listening Planned Program

Not In Compliance

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

- (1) Electronic viewing and listening devices shall only be used in the center as a part of the child's planned program of activity as established in Section 2(4) of this administrative regulation.**

Findings:

General: Based on observation and interview, the surveyor found that the two-year-old children and preschool age children were watching Scooby Doo on the television. Staff stated that the children watch television while washing hands and preparing for lunch each day. Staff explained that the children are supposed to be watching Caillou instead of Scooby Doo as it is usually included in the lesson plan. Review of the current lesson plan revealed that Caillou or television time were not included as part of the planned program.

480 - Infant/Toddler Combined with Older Children

Not In Compliance

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

- (2) Except in accordance with subsection (3) of this section or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day.
- (3) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if:
- (a) Space for the toddler is available in the preschool-age group;
 - (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;
 - (c) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and
 - (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.

Findings:

General: Based on observation and interview, the surveyor found that two (2) one-year-old children were combined with four (4) two-year-old children for the duration of the inspection, 11:40 a.m. - 1:40 p.m. Upon interview, staff stated the one-year-old children would be turning two (2) year old soon and they were being transitioned to the two's classroom. Staff stated that a signed transition plan was on file for the one-year-old children. Staff stated they were not aware that one-year-old and two-year-old children could not be combined for more than one (1) hour per day.

Premises

Not In Compliance

520 - Inaccessible Items

Not In Compliance

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

- (7) The following shall be inaccessible to a child in care:
- (a) Toxic cleaning supplies, poisons, and insecticides;
 - (b) Matches, cigarettes, lighters, and flammable liquids; and
 - (c) Personal belongings and medications of staff.

Findings:

General: Based on observation and interview, the surveyor found that a small hand held broom and dust pan were on the bottom shelf of the changing table located outside the two's classroom. They were accessible to the children. Staff stated they were aware that the items were on the changing table.

560 - Building Requirements

Not In Compliance

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

- (5) The building shall be constructed to ensure the:
- (a) Building is:
 - 1. Dry;
 - 2. Ventilated; and
 - 3. Well lit, including clean light fixtures that are:
 - a. In good repair in all areas; and
 - b. Shielded or have shatter-proof bulbs installed; and
 - (b) Following are protected:
 - 1. Windows;
 - 2. Doors;
 - 3. Stoves;
 - 4. Heaters;
 - 5. Furnaces;
 - 6. Pipes; and
 - 7. Stairs.

Findings:

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

- 1. There was one (1) light in the school age classroom that was not functioning.
 - 2. A fluorescent light in the school age classroom contained two (2) non-shatter proof bulbs. There was not a cover over the bulbs.
- Staff stated they did not realize the bulbs needed to be shatter proof or covered.

Hygienic Practices

Not In Compliance

685 - Diaper Changing Area/Surface

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

- (10) When a child is diapered, the child shall:
- (b) Be placed on a surface that is:
 - 1. Clean;
 - 2. Padded;
 - 3. Free of holes, rips, tears, or other damage;
 - 4. Nonabsorbent;
 - 5. Easily cleaned; and
 - 6. Free of any items not used for diaper changing.

Findings:

General: Based on observation and interview, the surveyor found that the diaper changing pad located in the nursery had a small tear in the vinyl covering preventing it from being properly sanitized. Staff reported that the diaper changing mat had been replaced within the past two (2) weeks.

Inspection Report	
First Aid/Medication	Not In Compliance
730 - Medication	Not In Compliance
<p>922 KAR 2:120. Section 7. First Aid and Medicine.</p> <p>(6) Medication, including refrigerated medication, shall be:</p> <p>(a) Stored in a separate and locked place, out of the reach of a child unless the medication is:</p> <ol style="list-style-type: none"> 1. A first aid supply and is maintained in accordance with subsection (1) of this section; 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child; 3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including: <ol style="list-style-type: none"> a. An epinephrine auto-injector shall be inaccessible to a child; b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector; c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12(1)(b) if an epinephrine auto-injector is administered to a child; or 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care; <p>(b) Kept in the original bottle; and</p> <p>(c) Properly labeled.</p> <p>(7) Medication shall not be given to a child if the medication's expiration date has passed.</p>	
<p>Findings:</p> <p>General: Based on observation and interview, the surveyor found the following:</p> <ol style="list-style-type: none"> 1. A tube of triple anti-biotic cream was in a white basket on top of the cubbies in the school age classroom, where it was accessible to children. Staff stated the cream belonged to them and they had forgot to lock it back up. 2. A bottle of prescription medication was stored in an unlocked cabinet in the kitchen. Staff was aware of the medication not being locked up. 	
Outdoor Play Area	Not In Compliance
745 - Playground Clean	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(20) An outdoor play area shall be:</p> <p>(c) Free from:</p> <ol style="list-style-type: none"> 1. Litter; 2. Glass; 3. Rubbish; and 4. Flammable materials; 	
<p>Findings:</p> <p>General: Based on observation and interview, the surveyor found that the playground had styrofoan cups, a Gatorade bottle, and food wrappers scattered around the playground area. The playground was not clean. Staff stated that the items had been left outside when the children came back inside.</p>	
755 - Protective Surface	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(21) A protective surface shall:</p> <p>(a) Be provided for outdoor play equipment used to:</p> <ol style="list-style-type: none"> 1. Climb; 2. Swing; and 3. Slide; and <p>(b) Have a fall zone equal to the height of the equipment.</p>	
<p>Findings:</p> <p>General: Based on observation and interview, the surveyor found that the protective surface of mulch had been depleted and had thick areas of grass growing through it. Staff stated the mulch had been replenished approximatley a month ago but they did not lay a plastic barrier down first.</p>	
Equipment	In Compliance
Transportation	Not Applicable
Food Service/Food Program	In Compliance
Food Service	In Compliance
Children's Records	In Compliance

Inspection Report		
Written Documentation		Not In Compliance
1170 - Professional Development		Not In Compliance
<p>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;</p> <p>Findings: General: Based on review of documentation and interview, the following were found:</p> <ol style="list-style-type: none"> 1. A staff file (DOH: 4/27/18) did not contain a professional development plan. 2. A staff file (DOH: 4/27/18) did not contain a professional development plan. 3. A staff file (DOH: 6/12/18) did not contain a professional development plan. 4. A staff file (DOH: 5/2/18) did not contain a professional development plan. <p>Staff-in-Charge confirmed the professional development plans had not been completed.</p>		
1175 - Earthquake/Tornado/Fire Drills		Not In Compliance
<p>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;</p> <p>Findings: General: Based on review of documentation and interview, the following were found:</p> <ol style="list-style-type: none"> 1. There was not a monthly fire drill documented for August of 2019. Staff stated they had failed to document the drill but it had been conducted the last Friday in August. 2. There were no quarterly earthquake or tornado drills documented for the April - June 2019. Staff reported the drills were conducted along with the monthly fire drills but they had failed to document them. 		
1195 - Fire Drills		Not In Compliance
<p>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 and a tornado drill shall be: (a) Conducted during hours of operation at least quarterly; and (b) Documented.</p> <p>Findings: General: Based on review of documentation and interview, the following were found:</p> <ol style="list-style-type: none"> 1. The surveyor could not confirm if a fire drill was conducted in August of 2019 as there was not a fire drill documented for that month. Staff stated that drill was conducted on the last Friday in August. 2. The surveyor could not confirm that an earthquake or tornado drill was conducted for the April - June 2019 quarter. Staff stated that the drills had been conducted but not documented. 		
Posted Documentation		In Compliance
Animals		In Compliance