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GOVERNOR

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Adam Mather
INSPECTOR GENERAL

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: 305000
Date Initiated: 11/12/2020 10:40 AM	Date Concluded: 11/12/2020 1:20 PM	
	No. of Children Present: 46	

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 April 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and been 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>	
<p>Findings:</p> <p>General: Based on review of documentation, the surveyor found the following:</p> <p>(1.) Staff's (DOH: 7/1/2020) file did not contain a criminal records check. Staff confirmed through interview that the criminal records check was not completed on the staff. The surveyor observed the staff working alone with children in the School Age Classroom.</p> <p>(2.) Staff's (DOH: 7/21/2020) file did not contain a criminal records check. Staff confirmed through interview that the criminal records check was not completed on the staff. The surveyor observed the staff working alone with children in the Twos Classroom.</p>	
Supervision	In Compliance

Inspection Report	
Staffing Requirements	Not In Compliance
125 - Ratios and Group Size	Not In Compliance
<div>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.</div>	
<div>Findings: General: Based on observation, the surveyor found one (1) staff supervising eighteen (18) children in a classroom. The children were between the ages of six-years-old to nine-years-old. Based on the age of the youngest child, the staff-to-child ratio was over by three (3) children.</div>	
General Administration	In Compliance
Director Requirements	Not In Compliance
345 - Staff Evaluation	Not In Compliance
<div>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;</div>	
<div>Findings: General: Based on review of documentation, the surveyor found the following: (1.) Staff’s (DOH: 4/17/18) file contained an annual written performance evaluation that was dated 11/2/18; therefore, the evaluation needs to be updated. (2.) Staff’s (DOH: 4/27/18) file contained an annual written performance evaluation that was dated 11/2/18; therefore, the evaluation needs to be updated. (3.) Staff’s (DOH: 5/2/18) file contained an annual written performance evaluation that was dated 11/2/18; therefore, the evaluation needs to be updated.</div>	
360 - Caregiver Alone	Not In Compliance
<div>922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (n) Assure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in 922 KAR 2:280;</div>	
<div>Findings: General: Based on review of documentation, the surveyor found the following: (1.) Staff’s (DOH: 7/1/2020) file did not contain a criminal records check. Staff confirmed through interview that the criminal records check was not completed on the staff. The surveyor observed the staff working alone with children in the School Age Classroom. (2.) Staff’s (DOH: 7/21/2020) file did not contain a criminal records check. Staff confirmed through interview that the criminal records check was not completed on the staff. The surveyor observed the staff working alone with children in the Twos Classroom.</div>	
Employee Records	In Compliance
Programming	In Compliance

Inspection Report	
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, the surveyor found the following: (1.) A square rug, blue in color, located in the Nursery contained several dark stains; therefore, the rug was not kept clean. (2.) A round rug located in the Twos Classroom contained debris; therefore, the rug was not kept clean.	
565 - 35 Square Feet per Child	Not In Compliance
922 KAR 2:120. Section 4. Premises Requirements. (6) Exclusive of the kitchen, bathroom, hallway, and storage area, there shall be a minimum of thirty-five (35) square feet of space per child.	
Findings: General: Based on observation, the surveyor found one (1) staff with eighteen (18) children in a classroom that has an approved capacity for six (6) children. The children ranged in age of six-years-old to nine-years-old.	
640 - Toilet Room	Not In Compliance
922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements. (2) A toilet room shall: (a) 1. Be provided for each gender; or 2. A plan shall be implemented to use the same toilet room at separate times; (b) Have a supply of toilet paper; and (c) Be cleaned and disinfected daily.	
Findings: General: Based on observation, the surveyor found the following in the boy's restroom: (1.) A puddle of water was observed underneath the urinal. (2.) Several pieces of dirty toilet paper were observed on the floor between the toilet and the wall; therefore, the restroom was not clean.	
Hygienic Practices	
695 - Diapering Practice	Not In Compliance
922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements. (12) Staff shall disinfect the diapering surface after each child is diapered. (13) If staff wears disposable gloves, the gloves shall be changed and disposed after each child is diapered.	
Findings: General: Based on observation, the surveyor found the staff in the Ones Classroom did not disinfect the diapering surface after diapering a child. A staff member reported the staff forgot to complete this step in the diaper changing process.	
First Aid/Medication	
Outdoor Play Area	
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, the surveyor found the following: (1.) A merry-go-round had one (1) wooden plank raised where the children stand on the merry-go-round, creating a safety hazard for the children. (2.) Wooden edging surrounding pea gravel was split at the end and contained sharp edges that created a potential safety hazard for the children.	

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, the surveyor found two (2) Little Tikes climbing structures with slides which did not have an adequate protective surface.

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

Not In Compliance

1140 - 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, the surveyor found the following:

- (1.) A child's (DOE: 7/13/2020) file did not contain the name of a preferred hospital.
- (2.) A child's (DOE: 7/27/2020) file did not contain a preferred hospital's telephone number.
- (3.) A child's (DOE: 1/7/2020) file did not contain the name of a preferred hospital.
- (4.) A child's (DOE: 10/29/2020) file did not contain the name of a preferred hospital.
- (5.) A child's (DOE: 7/27/2020) file did not contain a preferred hospital's telephone number.
- (6.) A child's (DOE: 7/13/2020) file did not contain a preferred hospital's telephone number.
- (7.) A child's (DOE: 10/29/2020) file did not contain contact information regarding the child's parents.
- (8.) A child's (DOE: 10/29/2020) file did not contain the name of each person who is designated in writing to pick up the child.
- (9.) A child's (DOE: 10/25/2020) file did not contain the name of each person who is designated in writing to pick up the child.

Inspection Report		
Written Documentation		Not In Compliance
1170 - Professional Development		Not In Compliance
<div>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;</div>		
Findings: General: Based on review of documentation, the surveyor found the following: (1.) Staff's (DOH: 4/27/18) file contained a written annual plan for professional development that was dated 2/27/13; therefore, the plan needs to be updated. (2.) Staff's (DOH: 4/27/18) file contained a written annual plan for professional development that was dated 9/11/19; therefore, the plan needs to be updated. (3.) Staff's (DOH: 4/27/18) file contained a written annual plan for professional development that was dated 11/28/18; therefore, the plan needs to be updated. (4.) Staff's (DOH: 5/2/18) file contained an annual written plan for professional development that was dated 9/11/19; therefore, the plan needs to be updated.		
Posted Documentation		In Compliance
Animals		In Compliance
Emergency Regulation		Not In Compliance
1250 - Emergency Regulation		Not In Compliance
<div>922 KAR 2:400E. Emergency Regulation. Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:400E, to prevent the spread of COVID-19.</div>		
Findings: General: Based on observation, the surveyor found that this requirement was not met as follows: (1.) There were eighteen (18) children present in the School Age Classroom. Based on interview, the children ranged in age from six-years-old to nine-years-old. Therefore, the classroom was over the group size by three (3) children. The deficiency was cited due to the following E-Reg: 922 KAR 2:400E Section 3. Social Distancing Requirements for Child Care Programs. (1) A child care center shall have a maximum group size of fifteen (15) children per group. (2.) Based on observation, the surveyor observed eighteen (18) school age children were not wearing facemasks. Therefore, the proper Personal Protective Equipment was not being utilized. Staff reported children refuse to wear the facemasks.		