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**CABINET FOR HEALTH AND FAMILY SERVICES
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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, Melanie

Inspection Type: Renewal Application	Inspection Information	Inspection No: 321749
Date Initiated: 06/27/2022 10:40 AM	Date Concluded: 06/27/2022 2:00 PM	
	No. of Children Present: 26	

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 that a staff's (DOH: 03/14/22) 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 staff person's determination status showed "In Process" and the staff person had not submitted to fingerprints. During interview, staff-in-charge stated that the staff person was seventeen (17) years of age when she was hired. Staff-in-charge stated that she completed the Child Abuse/Neglect Background Check (CAN) on the staff person at that time. The staff's file contained a completed CAN check dated 06/02/22. The staff's file did not contain a completed Criminal Records Background Check. The surveyor observed the staff person to work alone with children in the Two Year Old Classroom. Staff-in-charge stated that she would have the staff person to submit to fingerprints.</p>	

Inspection Report**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 shall 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 interview, the surveyor learned that nine (9) school age children attended Vacation Bible School at approximately 10:00 a.m. on 06/27/22. The surveyor observed the nine (9) children arrive back at the child-care center on 06/27/22 at approximately 11:50 a.m. Based on review of documentation, the surveyor found that the children ranged in age from five to ten years old. During review of permission slips provided by the Director for all nine (9) children, the surveyor found that the permission slips outlined the following: a) Dates as 06/27/22 - 07/02/22; b) Length of time as 10:00-12:00; c) The child's name; and d) The parent's name and signature. The permission slip stated that by filling out the form, it gave the bus permission to pick up/drop off the child at the child-care center. The Director stated that the church bus picked up the children and dropped the children off at the child-care center. The Director stated that no staff person from the child-care center went with the children and that the church members were responsible for the children; therefore, the children were not provided with adequate supervision at all times by a qualified staff person. The Director stated that she was not aware that a staff person needed to go with the children to the church.

Staffing Requirements**Not In Compliance****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, the surveyor found one (1) staff person providing care for six (6) children in the Infant Classroom. Staff stated that the children ranged in age from three months to one year old; therefore, the classroom exceeded the staff-to-child ratio by one (1) child.

Inspection Report	
General Administration	Not In Compliance
225 - 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, the surveyor found the following: <ol style="list-style-type: none"> Two (2) bottles of Germ-X and one (1) bottle of Clean N Fresh Instant Hand Sanitizer Antibacterial labeled "Keep Out of the Reach of Children" were placed on a shelf in the School Age Classroom located beside the kitchen. A white mini refrigerator placed on a chrome wire shelf did not appear to be secured. The wire shelf appeared to be unsteady when pushed on. The Director stated that the wire shelf used to be bolted to the wall and she had moved the shelf out recently. There was one (1) missing electrical outlet cover on an outlet located beside a bulletin board in the Preschool Classroom. An uncovered white trash can located near a table with green chairs in the Preschool Classroom contained rubbish. A bottle of Antibacterial Liquid Hand Wash Soap labeled "Keep Out of the Reach of Children Except Under Adult Supervision" was placed on the sink in the Two Year Old Classroom. What appeared to be one (1) loose red and one (1) blue water line were located beside the sink in the Two Year Old Classroom. The lines were observed to be accessible to the children. The surveyor observed children utilizing a large inflatable located on the playground. Through interview with staff, the surveyor learned that the children ranged in age from two to five years old. The Director stated that she did not obtain written parental consent for the children to use the inflatable. The surveyor observed a slip and slide placed on the ground on the side playground. The surveyor observed children on the side playground; however, the surveyor did not observe children to utilize the slip and slide during the visit on 06/27/22. During interview, the Director stated that she had not obtained written parental consent for the children to use the slip and slide. 	
Director Requirements	In Compliance
Employee Records	Not In Compliance
405 - 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, the surveyor found that the files for the following staff (DOH: 03/14/22 and 06/27/22) 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, staff-in-charge stated that the staff persons mentioned did not have an up-to-date TB skin test.	
435 - 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 and ECE-TRIS, the surveyor found the following: <ol style="list-style-type: none"> A staff (DOH: 07/21/20) obtained six (6) hours of cabinet-approved orientation training on 04/28/21; therefore, the training was not completed within the first three (3) months of employment. A staff (DOH: 05/02/18) 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. A staff's (DOH: 03/14/22) file did not contain documentation of six (6) hours of cabinet-approved orientation training. Based on review of ECE-TRIS, the staff person had not completed six (6) hours of cabinet-approved orientation training; therefore, the training was not completed within the first three (3) months of employment. 	
Programming	In Compliance

Inspection Report**Premises****Not In Compliance****565 - 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, the surveyor found a purple bag that resembled a Bogg Bag that was open and appeared to contain a medicine bottle. This purple bag was placed on the bottom of a brown shelf located in an entry way beside the Office. The bottle appeared to be orange with a white lid. The surveyor observed an opening with no door leading from the entry way into the School Age Classroom. During interview, the Director stated that the bag belonged to a staff person and it was unknown if the bottle was a medicine bottle and what the bottle contained.

585 - 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 broken light switch plate which exposed a small gap to behind the plate was located near the exit door in the School Age Classroom next to the Infant Classroom; therefore, the wall plate was not in good repair.
2. There was an exposed gap in the wall around a white pipe coming out of the wall in the girls' restroom located by the Two Year Old Classroom; therefore, the wall was not in good repair.
3. A loose white half wall board was placed on the wall in front of the sink in the girls' restroom located by the Two Year Old Classroom that was exposing a gap in the top of the wall board and what appeared to be a nail; therefore, the wall was not in good repair.
4. There was an exposed hole/gap at the bottom corner in front of the sink in the girls' restroom located by the Two Year Old Classroom. The surveyor observed debris in the hole/gap.
5. A white wall board placed on the wall beside the toilet in the girls' restroom located by the Two Year Old Classroom was partially detached from the wall on the corner/side and exposed a gap when pulled on; therefore, the wall was not in good repair.
6. A white half wall board placed on the side of the sink in the girls' restroom located by the Two Year Old Classroom was detached and exposed a gap at the top of the wall board; therefore, the wall board was not in good repair.
7. There were exposed gaps in the wall around white pipes that led to the toilet in the girls' restroom located by the Two Year Old Classroom; therefore, the wall was not in good repair.
8. The faucet in the girls' restroom located by the Two Year Old Classroom was loose; therefore, the faucet was not in good repair.

610 - 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 the following:

1. Eleven (11) children were observed inside the Two Year Old Classroom upon the surveyor's arrival at the child-care center on 06/27/22. Based on review of documentation, the surveyor found that the Two Year Old Classroom is licensed for ten (10) children; therefore, there was not a minimum of thirty-five (35) square feet of space per child.
2. Nine (9) children were observed inside the School Age Classroom located next to the kitchen on 06/27/22. Based on review of documentation, the surveyor found that the School Age Classroom is licensed for six (6) children; therefore, there was not a minimum of thirty-five (35) square feet of space per child.

Hygienic Practices**Not In Compliance****730 - Diaper Changing Area/Surface****Not In Compliance****922 KAR 2:120. Section 12. 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, the surveyor found debris on the diaper changing table underneath the diaper changing pad in the Two Year Old Classroom; therefore, the diaper changing surface was not kept clean.

Inspection Report**First Aid/Medication****Not In Compliance****760 - First Aid Supplies****Not In Compliance****922 KAR 2:120. Section 7. First Aid and Medicine.****(1) First aid supplies shall:**

- (a) Be available to provide prompt and proper first aid treatment;**
- (b) Be stored out of reach of a child;**
- (c) Be periodically inventoried to ensure the supplies have not expired;**
- (d) If reusable, be:**
 - 1. Sanitized; and**
 - 2. Maintained in a sanitary manner; and**
- (e) Include:**
 - 1. Liquid soap;**
 - 2. Adhesive bandages;**
 - 3. Sterile gauze;**
 - 4. Medical tape;**
 - 5. Scissors;**
 - 6. A thermometer;**
 - 7. Flashlight;**
 - 8. Cold pack;**
 - 9. First aid book;**
 - 10. Disposable gloves; and**
 - 11. A cardiopulmonary resuscitation mouthpiece protector.**

Findings:

General: Based on observation, the surveyor found a brown container that had "First Aid" written on the front of the container placed on a shelf above the sink in the girls' restroom located by the Two Year Old Classroom; therefore, the First Aid Kit was not stored out of reach of the children.

775 - Medication**Not In Compliance****922 KAR 2:120. Section 7. First Aid and Medicine.****(6) Medication, including refrigerated medication, shall be:**

- (a) Stored in a separate and locked place, out of the reach of a child unless the medication is:**
 - 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:**
 - 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 13(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;**
 - (b) Kept in the original bottle; and**
 - (c) Properly labeled.**
- (7) Medication shall not be given to a child if the medication's expiration date has passed.**

Findings:

General: Based on observation, the surveyor found a purple bag that resembled a Bogg Bag placed on the bottom of a brown shelf located in an entry way beside the office. The purple bag was open and appeared to contain a medicine bottle. The bottle appeared to be orange with a white lid. The surveyor observed an opening with no door leading from the entry way into the School Age Classroom. During interview, the Director stated that the bag belonged to a staff person and it was unknown if the bottle was a medicine bottle and what the bottle contained.

Inspection Report**Outdoor Play Area****Not In Compliance****795 - 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. Exposed yellow and orange extension cords were placed on the ground and led to a large inflatable on the side the playground. The cords were observed to be easily accessible to the children.
2. A double gate located on the side playground was not latched and had a gap in the middle where the gate should have been latched. The gate appeared to be pulled too far apart to latch properly.
3. A bottle of Palmolive Oxy Deep Grease Cutting Power labeled "Keep Out of the Reach of Children" was placed on the side playground.
4. A large ball goal turned over with a large black base was located on the side playground beside the fence.
5. Wooden thin poles were placed inside a large white container on the other side of the fence roll on the small playground. The poles were observed to stick up and over the fence.
6. The flat end of a rusty nail was sticking out from the back of a wooden fence post located behind a swing set on the small playground.
7. A gap was between a wooden fence post and a silver metal fence post located behind a swing set on the small playground.

800 - 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 the following:

1. The protective surface around a swing set with two (2) swings and one (1) slide located on the small playground was depleted and the swing set did not have an adequate fall zone.
2. A large inflatable was placed on top of a concrete slab on the side playground; therefore, the inflatable did not have an adequate fall zone. The surveyor observed children utilizing the inflatable on the day of the visit, 06/27/22. Through interview with staff, the surveyor learned that the children ranged in age from two to five years old.

805 - Fence Construction**Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(24) Fences shall be:**

- (a) Constructed of safe material;**
- (b) Stable; and**
- (c) In good condition.**

Findings:

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

1. Small tree branches were sticking through the bottom of the fence roll located behind a swing set on the small playground. The fence was observed to be pushed inward; therefore, the fence was not in good condition.
2. The chain link was observed to not be attached to the top metal pole on parts of the fence rolls along the front and back of the side playground. The fence pushed out slightly at the top when pushed on; therefore, the fence was not in good condition.

Inspection Report	
Equipment	Not In Compliance
815 - Play Equipment	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(25) Supports for climbing apparatus and large equipment shall be securely fastened to the ground.</p> <p>(26) Crawl spaces, such as tunnels, shall be short and wide enough to permit access by adults.</p> <p>(27) A sandbox shall be:</p> <p>(a) Constructed to allow for drainage;</p> <p>(b) Covered when not in use;</p> <p>(c) Kept clean; and</p> <p>(d) Checked for vermin prior to use.</p> <p>Findings:</p> <p>General: Based on observation, the surveyor found a large inflatable placed on top of a concrete slab located on the side playground that did not appear to be securely fastened to the ground.</p>	
Transportation	In Compliance
Kitchen Requirements	In Compliance
Food Service	In Compliance
Meal Planning/Center Provides Meals	In Compliance
Meal Planning/Center Does Not Provide Meals	In Compliance
Children's Records	Not In Compliance
1250 - Enrollment Information	Not In Compliance
<p>922 KAR 2:090. Section 9. Records.</p> <p>(1) A child-care center shall maintain:</p> <p>(b) A written record for each child:</p> <p>1. Completed and signed by the child's parent;</p> <p>2. Retained on file on the first day the child attends the child-care center; and</p> <p>3. To contain:</p> <p>a. Identifying information about the child, which includes, at a minimum, the child's name, address, and date of birth;</p> <p>b. Contact information to enable a person in charge to contact the child's:</p> <p>(i) Parent at the parent's home or place of employment;</p> <p>(ii) Family physician; and</p> <p>(iii) Preferred hospital;</p> <p>c. The name of each person who is designated in writing to pick-up the child;</p> <p>d. The child's general health status and medical history including, if applicable:</p> <p>(i) Allergies;</p> <p>(ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and</p> <p>(iii) Permission from the parent for third-party professional services in the child-care center;</p> <p>e. The name and phone number of each person to be contacted in an emergency involving or impacting the child;</p> <p>f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;</p> <p>Findings:</p> <p>General: Based on review of documentation, the surveyor found that the following children's (DOE: 05/03/22, 05/03/22, and 05/03/22) files did not contain the name of each person who is designated in writing to pick-up the child.</p>	
Written Documentation	Not In Compliance
1270 - Daily Attendance Records	Not In Compliance
<p>922 KAR 2:090. Section 9. Records.</p> <p>(1) A child-care center shall maintain:</p> <p>(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 child-care center through the Child Care Assistance Program;</p> <p>Findings:</p> <p>General: Based on review of documentation, the surveyor found the following:</p> <p>1. The daily attendance record for 06/27/22 had twenty-four (24) children's arrival times documented; however, twenty-six (26) children were present at the child-care center. During interview, the Director stated that two (2) children were not signed in on the daily attendance record.</p> <p>2. Nine (9) school age children's departure times were not documented on the daily attendance record on 06/27/22. Through interview with the Director, the surveyor learned that nine (9) school age children departed the child-care center at approximately 10:00 a.m. to attend a Vacation Bible School until approximately 11:50 a.m. During interview, staff stated that they were not aware they had to sign the children out on the daily attendance record when the children left for Vacation Bible School.</p>	

Inspection Report

1280 - 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, the surveyor found the following:

1. A staff's (DOH: 05/02/18) file contained a professional development plan dated 11/16/20; therefore, the plan was not completed annually.
2. A staff's (DOH: 05/02/18) file contained a professional development plan dated 11/14/20 therefore, the plan was not completed annually.
3. A staff's (DOH: 05/02/18) file contained a professional development plan with no date; therefore, the surveyor was unable to determine that the plan was completed annually.
4. A staff's (DOH: 07/21/20) file contained a professional development plan with no date; therefore, the surveyor was unable to determine that the plan was completed annually.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date