



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
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511

Adam Mather
INSPECTOR GENERAL

Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: Newton, Melissa Ann	Provider Information	CLR No: C71044
Provider Address: 221 Rolling Acres, Frankfort, KY, 40601	Provider Type: CERTIFIED	Capacity: 6

Inspection Type: Investigation	Inspection Information	Inspection No: 279094
Date Initiated: 03/18/2019 4:00 PM	Date Concluded: 03/18/2019 4:30 PM	No. of Children Present:

Inspection Report	
General Administration	Not In Compliance
140 - Child abuse/neglect investigation	Not In Compliance
<p>922 KAR 2:100 - Section 10. Standards for the Provider.</p> <p>(9) If a provider, an assistant, or a member in a provider's household is named as the alleged perpetrator in a child abuse or neglect report accepted by the cabinet in accordance with 922 KAR 1:330, the individual shall be removed from direct contact with a child in care:</p> <p>(a) For the duration of the investigation; and</p> <p>(b) Pending completion of an administrative appeal process for a cabinet substantiation of child abuse or neglect in accordance with 922 KAR 1:320 or 922 KAR 1:480.</p>	
Findings:	
<p>General: Based on interview and review of documentation, this regulatory requirement was not met. On 9/20/18 the provider was identified as an alleged perpetrator in a Department for Community Based Services (DCBS) investigation and a DCBS Prevention Plan was signed by the provider and put into place. On 11/27/18 the provider submitted an application to the Division of Regulated Child Care (DRCC) office to obtain an in-home child care certification. A DRCC surveyor conducted an inspection of the home on 1/7/19 and approved the in-home child care certification; however, at no time during this process (11/27/18 - 1/7/19) did the provider inform the DRCC office that she was named as an alleged perpetrator in a child abuse/neglect investigation. On 3/14/19 DCBS reported to the DRCC office the investigation of child abuse/neglect resulted in a substantiated finding against the provider. A copy of the letter verifying the investigation/substantiation was submitted to the DRCC office.</p>	

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

The certified family child-care home provider shall:

(10) Report:

(a) The following to the cabinet within twenty-four (24) hours from the time of discovery:

- 1. A communicable disease, which shall also be reported to the local health department pursuant to KRS 214.010;**
- 2. An accident or injury to a child that requires medical care;**
- 3. An incident that results in legal action by or against the family child-care home that:**

a. Affects:

- (i) A child in care;**
- (ii) The provider;**
- (iii) An assistant; or**
- (iv) A member of the provider's household; or**

b. Includes the provider's discontinuation or disqualification from a governmental assistance program due to fraud, abuse, or criminal conviction related to that program;

4. An incident involving fire or other emergency, including a vehicular accident when the provider is transporting a child receiving child care services; or

5. A report of child abuse or neglect that:

a. Has been accepted by the cabinet in accordance with 922 KAR 1:330; and

b. Names the alleged perpetrator as the:

- (i) Provider;**
- (ii) Provider's assistant; or**
- (iii) Member of the provider's household;**

(b) The death of a child to the cabinet within one (1) hour;

(c) Temporary or permanent closure as soon as practicable to the cabinet and the parent of a child in the family child-care home; or

(d) A child care staff member meeting a disqualifying criterion or background check, result in accordance with 922 KAR 2:280.

Findings:

General: Based on interview and review of documentation, this regulatory requirement was not met. On 9/20/18 the provider was identified as an alleged perpetrator in a Department for Community Based Services (DCBS) investigation and a DCBS Prevention Plan was signed by the provider and put into place. On 11/27/18 the provider submitted an application to the Division of Regulated Child Care (DRCC) office to obtain an in-home child care certification. A DRCC surveyor conducted an inspection of the home on 1/7/19 and approved the in-home child care certification; however, at no time during this process (11/27/18 - 1/7/19) did the provider inform the DRCC office that she was named as a perpetrator in a child abuse/neglect investigation. On 3/14/19 the DCBS office reported to the DRCC office the investigation resulted in a substantiated finding against the provider and a copy of the letter was submitted to the DRCC office.

Signature of Provider/Representative

Title

Date