



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

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Inspection Report

Provider Name: Silva, Marbelys	Provider Information	CLR No: C71065
Provider Address: 3413 East Indian Trail, Louisville, KY, 40213	Provider Type: CERTIFIED	Capacity: 6

Inspection Type: Annual Inspection	Inspection Information	Inspection No: 292628
Date Initiated: 08/26/2020 11:30 AM	Date Concluded: 08/26/2020 12:35 PM	
No. of Children Enrolled: 6	No. of Children Present: 3	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
General Administration	Not In Compliance
110 - Written Plan of Correction	Not In Compliance
922 KAR 2:100 - Section 4. Statement of Deficiency and Corrective Action Plans. (2) Except for a violation posing an immediate threat, a family child-care home shall submit a written corrective action plan to the cabinet or its designee within ten (10) calendar days from receipt of the statement of deficiency to eliminate or correct the regulatory violation.	
Findings:	
A PLAN OF CORRECTION WAS DUE ON 09/15/2020 AND AS OF 09/29/2020, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.	
160 - Health, safety and comfort	Not In Compliance
922 KAR 2:100 - Section 12. Care Requirements for a Provider. (1) A provider shall ensure the health, safety, and comfort of each child.	
Findings:	
General: Based on observation, the family child care provider failed to comply with general administration requirements. Observation revealed the provider failed to wear a facial mask when she allowed the surveyor into her home and failed to wear a mask during the entire visit.	
Provider Requirements	In Compliance
Provider Records	In Compliance
Programming	In Compliance

Inspection Report

Premises

Not In Compliance

345 - Harmful Items Inaccessible

Not In Compliance

922 KAR 2:100 - Section 11. 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 family child care provider failed to comply with premises requirements. Observation revealed kitchen knives were stored in a low drawer that was not locked and was accessible by the children in care.

360 - Fan/Furnace/Heater/Fireplace

Not In Compliance

922 KAR 2:100 - Section 11. The General Requirements of the Family Child-Care Home Environment.

- (7) An electric fan, floor furnace, or freestanding heater or fireplace shall:**
- (a) Be out of the reach of a child; or**
 - (b) Have a safety guard to protect a child from injury.**

Findings:

General: Based on observation, the family child care provider failed to comply with premises requirements. Observation revealed an operating, free-standing fan approximately 3-4 feet tall sitting on the floor in an area where the children play.

Hygienic Practices

Not In Compliance

435 - Child Handwashing/Hand Sanitizer

Not In Compliance

922 KAR 2:100 - Section 12. Care Requirements for a Provider.

- (4) A child shall:**
- (a) Wash hands with liquid soap and warm running water:**
 - 1. Before and after eating or handling food;**
 - 2. After toileting or diaper change;**
 - 3. After handling animals;**
 - 4. After touching an item or an area of the body soiled with body fluids or waste; and**
 - 5. After outdoor and indoor play time; or**
 - (b) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (a) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on observation, the family child care home failed to comply with hygienic practices. Observation revealed three (3) children were given fruit to eat without handwashing hands before and after eating.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

655 - Sanitary Preparation/Storage of Food

Not In Compliance

922 KAR 2:100 - Section 14. Food Requirements.

- (1) A provider and an assistant shall:**
- (a) Use sanitary procedures when preparing and serving food;**
 - (b) Refrigerate perishable food and beverages; and**

Findings:

General: Based on observation, the family child care provider failed to comply with food program requirements. Observation revealed a child was given an orange and when the child finished, part of the orange fell on the floor and allowed for a toddler to eat the remains of the orange which had been partially eaten by another child.

Inspection Report

Children's Records

Not In Compliance

735 - Children's information

Not In Compliance

922 KAR 2:100 - Section 18. 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; and

Findings:

General: Based on observation, interview and review of documentation, the family child care provider failed to have a physician listed in two (2) childrens' files. Additionally, the provider failed to submit the start date of an enrolled child. Interview with the provider revealed the documentation was not available at the time of the visit.

Written Documentation

Not In Compliance

750 - Liability insurance

Not In Compliance

922 KAR 2:100 - Section 2. Certification Process.

(2) An applicant for certification shall:

(b) Obtain commercial liability insurance of at least \$50,000 per occurrence; and

Findings:

General: Based on interview and review of documentation, the family child care home failed to maintain written documentation. A review of documentation failed to reveal current liability insurance. Interview with the provider revealed she did not have insurance coverage at the time of the visit.

765 - Fire Drill Requirements

Not In Compliance

922 KAR 2:100 - Section 11. The General Requirements of the Family Child-Care Home Environment.

(18) A fire drill shall be conducted during hours of operation:

(a) At least monthly; and

(b) Documented.

Findings:

General: Based on observation, interview and review of documentation, the family child care provider failed to have documentation of a conducted fire drill for the month of July, 2020. Interview with the provider did not reveal the drills had been conducted.

795 - Evacuation Plan Records

Not In Compliance

922 KAR 2:100 - Section 18. Records.

(7)(a) A certified family child-care home provider shall have a written evacuation plan in the event of fire, natural disaster, or other threatening situation that may pose a health or safety hazard to a child in care in accordance with KRS 199.895.

Findings:

General: Based on interview and review of documentation, the family child care provider failed to reveal a written emergency preparedness plan submitted for the current year. Interview with the provider revealed she did not have the documentation at the time of the visit.

Posted/Available Documentation

In Compliance

Inspection Report

Animals

Not In Compliance

830 - Animals

Not In Compliance

922 KAR 2:100 - Section 16. Animals.

(1) An animal shall not be allowed in the presence of a child in care:

(a) Unless:

- 1. The animal is under the supervision and control of an adult;**
 - 2. Written parental consent has been obtained; and**
 - 3. The animal is certified as vaccinated against rabies; or**
- (b) Except in accordance with subsection (3) of this section.**

(2) A parent shall be notified in writing if a child has been bitten or scratched by an animal.

(3) An animal that is considered undomesticated, wild, or exotic shall not be allowed at a certified family child-care home unless the animal is:

- (a) A part of a planned program activity led by an animal specialist affiliated with a zoo or nature conservatory; and**
- (b) In accordance with 301 KAR 2:081 and 301 KAR 2:082.**

Findings:

General: Based on observation, interview and review of documentation, the family child care provider failed to comply with regulatory requirements regarding animals. Observation revealed a small dog in the home. A review of files failed to reveal the dog was certified as vaccinated against rabies. Additionally, a review of documentation failed to reveal written parental consent for the dog in the childrens' files. Interview with the provider revealed the documentation was not available at the time of the visit.

Posted Requirements

In Compliance

Signature of
Provider/Representative

Title

Date