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Inspection Report

Provider Name: Creative Kids Child Care Center	Provider Information	CLR No: L383963
Provider Address: 2385 Huguenard Drive, Lexington, KY, 40503	Provider Type: LICENSED TYPE I	Capacity: 99
Owner(s): TJ7, LLC		Director(s): Erwin, Laurie Rene'

Inspection Type: Renewal Application	Inspection Information	Inspection No: 318430
Date Initiated: 09/29/2021 9:31 AM	Date Concluded: 09/29/2021 1:21 PM	
	No. of Children Present: 63	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
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, this regulatory requirement was not met. The following was found:

1. The bathrooms adjacent to the 3-5-year-old room contained toilet brush scrubbers stored next to the toilets.
2. The bathroom adjacent to the one-year-old room contained a broom, dustpan, and a Swiffer Mop, that was stored next to the handwashing sink.
3. The bathroom in the two-year-old room (across from the infant room) contained a toilet scrubber (next to the toilet) and a broom and dustpan stored next to the sink.
4. The bathroom in the three and four-year-old room (beside the infant room) contained a toilet plunger and toilet scrubber next to the toilet. A Swiffer Mop was also next to the sink.
5. The bathroom in the two-year-old room contained a toilet scrubber, broom, dustpan, and a Swiffer Mop stored next to the sink and toilet.

These items are considered unsanitary and should not be stored in an area accessible to the children.

Director Requirements	In Compliance
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400 - Educational Requirements

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(1) Child-care center staff:

(a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a:

- 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;**

Findings:

General: Based on observation and review of documentation, this regulatory requirement was not met. Five staff files were missing proof of education. These staff were hired on 10/19/2020, 2/01/2021, 6/08/2021, 7/07/2021, and 8/18/2021.

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 observation and review of documentation, this regulatory requirement was not met. Two staff members did not have written evidence of negative TB documentation on file. These staff were hired on 7/07/2021 and 9/14/2021. Another staff hired on 5/01/2015, had a TB skin test on file that was no longer current. The TB skin test on file was dated 6/07/2019. TB skin tests shall be conducted prior to employment and every two years thereafter.

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 observation and review of documentation, this regulatory requirement was not met. The following was found:

1. Two staff did not complete the 15 hours of cabinet-approved early care and education training hours between 7/01/2020 and 6/30/2021. A staff member hired on 5/01/2015, completed 14 hours of training and a staff member hired on 3/15/2021, completed 12 hours of training.
2. A staff member hired on 6/08/2021, did not complete the required Orientation training. This staff member has been employed for more than three months.
3. A staff member hired on 8/10/2020, did not complete the required PAHT training. This staff member has been employed for more than one year.
4. A staff member hired on 2/15/2016, completed the PAHT training on 5/26/2016; however, did not renew the training due on 5/26/2021.

A review of ECE-TRIS was completed and confirmed these findings.

Programming

In Compliance

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, this regulatory requirement was not met. The two-year-old's bathroom contained a bottle of Lysol Advanced Toilet Bowl Cleaner and a can of Apple Of My Pie Glade air freshener under the handwashing sink. The label on the can indicated to "Keep out of the reach of children". The cabinet was not locked; therefore, the items were accessible to the children.

Inspection Report

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, this regulatory requirement was not met. The following was found:

1. A window (on the building connected to the large playground) had a torn screen that had several holes.
2. The one-year-old's bathroom contained a vent in the ceiling with a large accumulation of dust.

695 - Toilet

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

- (4) Each toilet shall:
 - (a) Be kept in clean condition;
 - (b) Be kept in good repair;
 - (c) Be in a lighted room; and
 - (d) Have ventilation to outside air.

Findings:

Based on Observation, The bathroom, located in the two-year-old room, contained a toilet seat that was in disrepair. The toilet seat contained numerous scratches.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

780 - Fence Requirement

Not In Compliance

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

- (20) An outdoor play area shall be:
 - (a) Except for an after-school child-care program located on the premises of a public or state-accredited nonpublic school, fenced for the safety of the children;

Findings:

General: Based on observation, this regulatory requirement was not met. The following was found: The white gate/fence between the large outdoor playground and the infant toddler outdoor playground contained a rusted spring that was sticking out (at the bottom of the gate) and it was not connected to the gate on one side. The spring was sharp on the end and was rusted.

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, this regulatory requirement was not met. The following was found:

1. The large (used by older children) and the small outdoor playgrounds (used by infants and toddlers) contained areas where the black weed barrier was exposed through the mulch causing a tripping hazard to the children.
2. The infant and toddler outdoor playground contained a dryer vent hole in the side of the building (located within reach of a child). The hole did not contain a cover and posed an entrapment hazard to a child's hand or arm.
3. The side playground, used by the two-year-old children, contained a metal drainage grate in the center of the outdoor area. The metal drainage grate contained a child-sized picnic table over the unit. The metal drainage grate posed an entrapment and safety hazard to a child's hand or arm.

Equipment

In Compliance

Transportation

Not Applicable

Inspection Report

Kitchen Requirements

Not In Compliance

1040 - Refrigerator

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

- (4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:**
 - (a) Have an indicating thermometer or other appropriate temperature measuring device;**
 - (b) Be in a safe environment for preservation; and**
 - (c) Be forty (40) degrees Fahrenheit or below.**

Findings:

General: Based on observation, this regulatory requirement was not met. The mini-refrigerator in the one-year-old room did not contain a thermometer; therefore, the temperature of the refrigerator could not be determined.

1065 - Bottles

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

- (9) Bottles shall be:**
 - (a) Individually labeled;**
 - (b) Promptly refrigerated;**
 - (c) Covered while not in use; and**
 - (d) Consumed within one (1) hour of being heated or removed from the refrigerator.**

Findings:

General: Based on observation, this regulatory requirement was not met. The one-year-old room contained two uncovered bottles in the door of the mini-refrigerator.

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

1245 - Immunization

Not In Compliance

922 KAR 2:090. Section 9. Records.

- (1) A child-care center shall maintain:**
 - (a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;**

Findings:

General: Based on observation and review of documentation, this regulatory requirement was not met. One child did not have an immunization certificate on file. The child had been enrolled in excess of thirty days. In addition, two other children's files contained immunization certificates that were no longer current. These immunization certificates expired on 8/20/2021 and 12/04/2020. These children had been enrolled in excess of thirty days.

1250 - 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 observation and review of documentation, this regulatory requirement was not met. Two children's files were missing a preferred hospital. One child's paperwork indicated the "closest" hospital and another child's file stated "no preference".

Written Documentation

In Compliance

Inspection Report

Posted Documentation

Not In Compliance

1325 - Daily Activities

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

(h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on observation and review of documentation, this regulatory requirement was not met. The three to four-year-old room contained a posted lesson plan that was no longer current. The lesson plan was dated 8/18/2021 to 8/22/2021. The survey was conducted on 9/29/2021.

Animals

In Compliance

Signature of Provider/Representative

Title

Date