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**Adam Mather**  
INSPECTOR GENERAL

**Inspection Report**

<b>Provider Name:</b> Happy Hearts Childcare	<b>Provider Information</b>	<b>CLR No:</b> L384083
<b>Provider Address:</b> 100 Rudd St., Marion, KY, 42064	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 82
<b>Owner(s):</b> Happy Hearts Childcare		<b>Director(s):</b> Platfoot, Kelly

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 318970
<b>Date Initiated:</b> 10/20/2021 9:15 AM	<b>Date Concluded:</b> 10/20/2021 12:40 PM	
	<b>No. of Children Present:</b> 31	

Inspection Report	
Background Checks	Not In Compliance
<b>10 - Submit background check</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280 - Section 4. Procedures and Payments.</b></p> <p><b>(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:</b></p> <p><b>(a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member;</b></p> <p><b>(b) Request that the prospective child care staff member complete and sign the:</b></p> <ol style="list-style-type: none"> <li><b>DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and</b></li> <li><b>DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and</b></li> </ol> <p><b>(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:</b></p> <ol style="list-style-type: none"> <li><b>Child abuse and neglect central registry pursuant to 922 KAR 1:470;</b></li> <li><b>National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and</b></li> <li><b>Sex Offender Registry established in accordance with KRS 17.500 through 17.580.</b></li> </ol>	
<b>Findings:</b>	
<p>General: Based on observation, interview and review of documentation, a caregiver hired 10/20/21, a caregiver hired 10/12/21, and two (2) caregivers hired 08/23/21, each did not initiate the process of obtaining background checks through the National Background Check Program (NBCP).</p> <p>Two (2) caregivers each hired 07/27/2020, had name based background checks on file but did not submit background checks through the National Background Check Program (NBCP).</p>	
<b>Supervision</b>	<b>In Compliance</b>

**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 and interview, one (1) caregiver supervised ten (10) infants for approximately two (2) minutes on the outdoor playground, while the second caregiver walked inside the center.

Two (2) caregivers supervised eleven (11) infants' for approximately three (3) hours in the infants' room.

Three (3) caregivers supervised twenty-two (22) children for approximately twenty-five (25) minutes on the outdoor playground. The age of the youngest child was one-year-old.

Two (2) caregivers supervised thirteen (13) children for approximately three (3) hours in the toddlers' room. The age of the youngest child was one-year-old child.

**General Administration**

**Not In Compliance**

**270 - Notification of Changes**

**Not In Compliance**

**922 KAR 2:090. Section 13. Reports.**

**(4)(a) Written notification of the following shall be:**

**1. Made to the cabinet, in writing, to allow for approval before implementation:**

- a. Change of ownership;**
- b. Change of location;**
- c. Increase in capacity;**
- d. Change in hours of operation;**
- e. Change of services in the following categories:**
  - (i) Infant;**
  - (ii) Toddler;**
  - (iii) Preschool-age;**
  - (iv) School-age;**
  - (v) Nontraditional hours; or**
  - (vi) Transportation; or**
- f. Addition to or reduction of the square footage of a child-care center's premises; and**

**2. Signed by each owner listed on the preliminary or regular license.**

**Findings:**

General: Based on observation and interviews, the center added a full wall that extended from the floor to the ceiling in the entrance area which connected to the preschool area and did not submit written notification to the cabinet to allow for approval.

**Director Requirements**

**In Compliance**

**Inspection Report**

**Employee Records**

**Not In Compliance**

**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 interview and review of documentation, a caregiver hired 10/12/21, and a caregiver hired 08/25/21, each did not have education verification on file.

**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 interview and review of documentation, caregivers hired on 10/20/21, 10/12/21, 08/25/21, 08/23/21, 08/19/21, and 08/03/21, did not have TB documentation on file.

**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 interview and review of documentation, two (2) caregivers hired 09/28/2020 and 08/13/2020; and four (4) caregivers each hired 07/27/2020, did not complete any orientation training within the first three (3) months of employment.

Caregivers hired on 09/28/2020, 08/13/2020, and 07/27/2020, did not complete any early care and education training during the first year of employment.

Two (2) caregivers hired on 07/27/2020, completed one and one half (1 1/2) hours of cabinet approved training during the first year of employment.

A caregiver hired on 09/28/2020, and three (3) caregivers hired 07/27/2020, did not complete one and one half (1 1/2) hours of cabinet approved pediatric abusive head trauma within the first year of employment.

**Programming**

**Not In Compliance**

**530 - Infant Sleep Position**

**Not In Compliance**

**922 KAR 2:120. Section 6. Sleeping and Napping Requirements.**

**(1) An infant shall sleep or nap on the infant's back unless the infant's health professional signs a waiver that states the infant requires an alternate sleeping position.**

**Findings:**

General: Based on observation, interview and review of documentation, five (5) infants each slept in a bouncy seat in the infants' room. A signed waiver from a health professional that indicated the infant required an alternate sleep position was not on file for each infant.

**Premises**

**Not In Compliance**

**570 - Items Accessible Only During Activity**

**Not In Compliance**

**922 KAR 2:120. Section 3. General Requirements.**

**(8) The following shall be inaccessible to a child in care unless under direct supervision and part of planned program of instruction:**

- (a) Knives and sharp objects;**
- (b) Litter and rubbish;**
- (c) Bar soap; and**
- (d) Plastic bags not used for personal belongings.**

**Findings:**

General: Based on observation, two (2) large plastic bags was stored on the floor in the preschool room. These items were not a part of the planned program of instruction and were accessible to children.

**690 - Sink** **Not In Compliance**

**922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.**  
**(3) A sink shall be:**  
 (a) Located in or immediately adjacent to toilet rooms;  
 (b) Equipped with hot and cold running water that allows for hand washing;  
 (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;  
 (d) Equipped with liquid soap;  
 (e) Equipped with hand-drying blower or single use disposable hand drying material;  
 (f) Equipped with an easily cleanable waste receptacle; and  
 (g) Immediately adjacent to a changing area used for infants and toddlers.

**Findings:**

General: Based on observation, a handwashing sink was not immediately adjacent to the diaper changing station in the infants' room. The handwashing sink was located in the restroom across the hall behind a door.

**Hygienic Practices** **Not In Compliance**

**700 - Child Personal Care/Handwashing** **Not In Compliance**

**922 KAR 2:120. Section 3. General Requirements.**  
**(4) A child shall:**  
 (a) Be helped with personal care and cleanliness based upon his or her developmental skills;  
 (b) Except as established in paragraph (c) of this subsection, wash his or her hands with liquid soap and warm running water:  
     1. a. Upon arrival at the center; or  
     b. Within thirty (30) minutes of arrival for school-age children;  
 2. Before and after eating or handling food;  
 3. After toileting or diaper change;  
 4. After handling animals;  
 5. After touching an item or an area of the body soiled with body fluids or wastes; and  
 6. After outdoor or indoor play time; and  
 (c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) 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, thirteen (13) children did not wash their hands with liquid soap and warm running water after they played outside and returned to the toddlers' room.

**705 - Staff Hygiene/Handwashing** **Not In Compliance**

**922 KAR 2:120. Section 3. General Requirements.**  
**(5) Staff shall:**  
 (a) Maintain personal cleanliness;  
 (b) Conform to hygienic practices while on duty;  
 (c) Except as established in paragraph (d) of this subsection, wash their hands with liquid soap and running water:  
     1. Upon arrival at the center;  
     2. After toileting or assisting a child in toileting;  
     3. Before and after diapering each child;  
     4. After wiping or blowing a child's or own nose;  
     5. After handling animals;  
     6. After caring for a sick child;  
     7. Before and after feeding a child or eating;  
     8. Before dispensing medication;  
     9. After smoking or vaping; and  
     10. If possible, before administering first aid; and  
 (d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available.

**Findings:**

General: Based on observation, a caregiver did not wash her hands with liquid soap and warm running before and after she diapered a child in the toddlers' room. Two (2) caregiver's each did not wash their hands with liquid soap and warm running after they each wiped a toddlers nose in the toddlers' room. A caregiver did not wash her hands with liquid soap and warm running water after she wiped an infant's nose on the playground. A caregiver did not wash her hands with liquid soap and warm running before and after she diapered a child in the infants' room.

**740 - Diapering Practice** **Not In Compliance**

**922 KAR 2:120. Section 12. 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, a caregiver did not disinfect the diaper changing mat after she diapered a child in the infants' room.

**First Aid/Medication** **In Compliance**

**Inspection Report**

**Outdoor Play Area**

**Not In Compliance**

**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, there was dirt and grass was underneath fifteen (15) swings on the outdoor playground.

**Equipment**

**Not In Compliance**

**835 - Crib/Mattress/Sheet**

**Not In Compliance**

**922 KAR 2:120. Section 6. Sleeping and Napping Requirements.**

**(3) Rest time shall occur in an adequate space according to the child's age as follows:**

**(a) For an infant:**

- 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;**
- 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:**
  - a. Weekly; or**
  - b. Immediately if it is soiled or wet;**

**Findings:**

General: Based on observation, interview and review of documentation, five (5) infants' each slept in a bouncy seat and was not provided a crib in the infants' room. Observation and interviews revealed there were seven (7) cribs; however, thirteen (13) infants' were present. Surveyor observed each infant asleep at one (1) time in the infants' room.

**Transportation**

**Not Applicable**

**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**

**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 review of documentation, a child first date of attendance on 09/29/21, had an immunization certificate on file that was current until 02/20/21. A child first date of attendance on 08/17/2020, had an immunization certificate on file that was current until 10/08/21. A child first date of attendance on 08/26/21, and a child first date of attendance on 07/19/21, each did not have an immunization certificate on file.

**Written Documentation**

**In Compliance**

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

Signature of Provider/Representative

Title

Date