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Inspection Report

Provider Name: Johnson, Deborah K	Provider Information	CLR No: C71099
Provider Address: 612 Beresford Drive, Lexington, KY, 40505	Provider Type: CERTIFIED	Capacity: 6

Inspection Type: Annual Inspection	Inspection Information	Inspection No: 307645
Date Initiated: 07/14/2021 10:42 AM	Date Concluded: 07/14/2021 1:31 PM	
No. of Children Enrolled: 8	No. of Children Present: 5	

Inspection Report	
Background Checks	Not In Compliance
85 - Employment Status	Not In Compliance
922 KAR 2:280 - Section 11. Status of Employment. (1) A child care provider shall maintain the employment or residential status of each child care staff member who has submitted to a fingerprint-based criminal background check by reporting the status using the NBCP Web-based system.	
Findings:	
General: Based on observation and review of documentation, the surveyor found that the provider has not moved her background check in the KARES system under her new certification number. The provider is listed under her previous License number as a Type II provider.	
Supervision	In Compliance
General Administration	In Compliance
Provider Requirements	In Compliance
Provider Records	Not In Compliance
240 - Provider CPR/First Aid	Not In Compliance
922 KAR 2:100 - Section 2. Certification Process. (4) An applicant shall be currently certified by an agency approved in accordance with 922 KAR 2:240 in infant and child: (a) Cardiopulmonary resuscitation (CPR); and (b) First aid.	
Findings:	
General: Based on review of documentation, it was found the provider's CPR and First Aid training was no longer current as of 4/30/2021. Therefore, there was no one present with the children since 4/30/2021 who is currently certified in CPR/First Aid. The provider is the only staff person employed.	

265 - Provider Training Requirements

Not In Compliance

922 KAR 2:100 - Section 10. Standards for the Provider.

(1)(a) Between July 1 and June 30 of the following calendar year, a provider shall complete at least nine (9) hours of cabinet-approved early care and education training beginning with the second year of operation, including one and one-half (1½) hours of cabinet-approved pediatric abusive head trauma training in accordance with KRS 199.8982(2) to be completed:

- 1. Within the second year of employment or operation in child care; and**
- 2. Every subsequent five (5) years of employment or operation in child care.**

(b) A provider or assistant's compliance with the training in accordance with paragraph (a) of this subsection or subsection (8) of this section shall be verified through the cabinet-designed database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on review of documentation, it was found that the provider did not complete nine hours of cabinet approved training. This was also verified through the ECE-TRIS system.

Programming

Not In Compliance

305 - Curriculum Areas

Not In Compliance

922 KAR 2:100 - Section 13. Care Requirements for a Provider.

(13) A certified family child care home shall provide a daily planned program:

- (a) That is available to a parent of a child in care or the cabinet upon request;**
- (b) Of activities that are developmentally appropriate for each child served;**
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and**
- (d) That offers a variety of creative activities, such as:**

- 1. Art or music;**
- 2. Math or numbers;**
- 3. Dramatic play;**
- 4. Stories and books;**
- 5. Science or nature;**
- 6. Block building or stacking;**
- 7. Tactile or sensory activity;**
- 8. Multi-cultural exposure;**

Findings:

General: Based on observation and review of documentation, the planned program of activities did not include developmentally appropriate activities for a seven-month-old child and a ten-month-old child who were present at the time of the survey. The ten-month-old child was restrained in a high chair from 11:10 a.m. to 11:47 a.m. The child was given a Rubik's cube and a plastic dinosaur to play with while sitting in the high chair. The provider carried the seven-month-old child around during a large portion of the survey. There were brief periods of time when the child was placed in an activity seat.

Premises

Not In Compliance

330 - Free from risk of harm

Not In Compliance

922 KAR 2:100 - Section 12. The General Requirements of the Family Child-Care Home Environment.

(1) A provider's home and each play area used for child care shall:

- (a) Be free from risk of harm in accordance with the requirements of this administrative regulation;**

Findings:

General: Based on observation, a wax warming unit had been placed on top of a plastic play kitchen set located under the window in the children's play area. The cord to the warming unit was plugged into an electrical outlet in the wall beside the play equipment. The warming unit was not on at the time of the survey. The provider stated she turns the unit on in the mornings prior to the children's arrival. Once the children arrive, the unit is turned off. A Styrofoam bowl was observed on the window sill above the piece of equipment. The provider stated the melted wax is poured in the bowl to cool. It should be noted that there was hardened wax in the bowl of the warming unit and in the Styrofoam bowl. This is not a safe practice and is a safety hazard to the children.

345 - Harmful Items Inaccessible

Not In Compliance

922 KAR 2:100 - Section 12. 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 following was found:

- 1) A can of Herbal Essence hairspray was stored on a low open shelf where a box of cereal, Goldfish crackers, Styrofoam bowls and various other food and eating utensils are stored. The can of hairspray was within reach of the children.
- 2) A can of air freshener had been placed on a desk located in the space where the children nap. A spray bottle of Oxy-Clean had been placed on the piano in the room. The can of air freshener and Oxy-Clean were within reach of the children. The labels on the cans and spray bottle indicate to keep out of the reach of children.

390 - Condition of Home

Not In Compliance

922 KAR 2:100 - Section 12. The General Requirements of the Family Child-Care Home Environment.

(21) A family child-care home shall:

- (a) Be clean;**
- (b) Be uncluttered;**
- (c) Be free of insects and rodents;**

Findings:

General: Based on observation and interview, the following was found:

- 1) A table used for the children's activities and meals contained a disposable diaper, a screwdriver, a back scratcher, a box of tissues, a bib, sippy cups of milk and various other items.
- 2) Upstairs, a soiled dog toilet training pad was on the floor in the dining room located beside the kitchen. The upstairs has not been approved for care. However, the provider acknowledged the upstairs had not been approved for care but she took the children upstairs with her so she could put a frozen pizza in the oven for the children's lunch. In addition, a container of fish sticks was found on the counter and a pan of cooked carrots was on the stove. The provider stated she had prepared the food for the children's lunch the day prior and was going to eat the leftovers for supper that same day.

400 - Bathroom sanitary

Not In Compliance

922 KAR 2:100 - Section 12. The General Requirements of the Family Child-Care Home Environment.

(21) A family child-care home shall:

- (e) Have bathrooms, including toilets, sinks, and potty chairs that are:**
 - 1. Sanitary; and**
 - 2. In good working condition.**

Findings:

General: Based on observation, a toilet training seat had been placed on the counter of the sink in the bathroom where the children wash their hands. A bar of Dove soap was on the counter in the center of the toilet seat ring. Children were observed washing their hands at the sink and using the bar of soap. This is an unsanitary method of storage for the toilet training seat.

420 - Sink

Not In Compliance

922 KAR 2:100 - Section 14. Toilet and Diapering Requirements.

(2) A sink shall be;

- (a) Located near or in close proximity to toilets;**
- (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 and single use, disposable hand drying material;**
- (e) Equipped with an easily cleanable, covered waste receptacle; and**
- (f) Near or in close proximity to a changing area used for infants and toddlers.**

Findings:

General: Based on observation, the following was found:

- 1) The diaper changing table had been placed under the window in the children's play area. There is not a sink located in this room. The closest sink is located in the bathroom in the hallway. This is not within close proximity of the diaper changing table.
- 2) A bar of Dove soap was observed on the counter in the bathroom used by the children. The children were observed using the bar soap to wash their hands before lunch.

433 - Alcohol Accessible to Children

Not In Compliance

922 KAR 2:100 - Section 12. The General Requirements of the Family Child-Care Home Environment.

(4) Alcohol shall:

- (b) Be kept out of reach and sight of a child in care**

Findings:

General: Based on observation of the refrigerator located in the kitchen, the surveyor found three (3) bottles of an alcoholic beverage stored in a low compartment located on the inside of the door. Although the upstairs has not been approved for childcare, the provider took the children upstairs with her so she could put a frozen pizza in the oven for the children's lunch. There is not a lock on the refrigerator. The provider stated she requires the children to stand in the hallway where she can still see them.

Inspection Report

Hygienic Practices

Not In Compliance

435 - Child Handwashing/Hand Sanitizer

Not In Compliance

922 KAR 2:100 - Section 13. 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 and interview, the following was found:

- 1) A bar of Dove soap was found on the counter in the bathroom used by the children. The surveyor observed the children using the bar of soap while washing their hands before eating lunch.
- 2) A child sneezed. The provider then told the child to get a tissue and wipe her nose. There is not a water source in the room. A hand - sanitizing wipe was not used nor was the child offered hand-sanitizer. The child did not wash her hands with liquid soap and running water until it was time to eat lunch.

470 - Diapering Space

Not In Compliance

922 KAR 2:100 - Section 14. Toilet and Diapering Requirements.

(9) If a child is being 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 items not used for diaper changing.**

Findings:

General: Based on observation and interview, a diaper-changing table was positioned under a window in the space where the children play. A cloth pad had been placed on top of the vinyl diapering pad. The cloth pad is an absorbent material and cannot be adequately sanitized after each diaper change. Various items that were not related to diapering were placed on top of the cloth diapering pad during the survey. Those items included a highchair tray and a package of crackers. The provider stated during interview that she does not use the diaper-changing table. She stated that she changes the children's diapers by laying them in her lap. This method of diapering is not sanitary and does not meet the requirements of this regulation.

First Aid/Medication

Not In Compliance

485 - Medication Locked/First Aid/Diaper cream/Sunscreen/Toothpaste

Not In Compliance

922 KAR 2:100 - Section 16. Medication and First Aid.

(1) Medication, including medicine that requires refrigeration, shall be stored in a locked container or area with a lock unless the medication is:

- (a) A first aid supply. A first aid supply shall be maintained in accordance with subsection (4) of this section;**
- (b) Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child in care;**

Findings:

General: Based on observation at the time of the survey, the following was found:

- 1) A tube of Butt Paste diaper cream, and a tube of Desitin Diaper cream were observed stored on the window sill in the room where the children play. A container of Caldesen Baby Cornstarch Powder with zinc was stored on the diaper-changing table. The labels on these items contained drug facts and a warning to keep out of the reach of children. All items were within reach of the children.
- 2) A bottle of 500 mg of prescription Leva Floxin was found in a small basket on the window sill near a play kitchen set. This was not stored in a locked area or container.
- 3) A tube of antibiotic cream was found in the first aid kit. The first aid kit is stored on a shelf used for storage near the diaper- changing table. The ointment was not labeled for a specific individual and was not in a locked container or area.

Inspection Report

Outdoor Play Area

Not In Compliance

525 - Outdoor Play Area Safe

Not In Compliance

**922 KAR 2:100 - Section 12. The General Requirements of the Family Child-Care Home Environment.
(13) An outdoor play area shall be free of unavoidable danger or risk.**

Findings:

General: Based on observation and interview, the following was found:

- 1) A crowbar and a piece of wire were found under the wooden climber. The paint was also observed to be flaking and peeling away from the surface of the climber. Weeds and several white colored mushrooms were found on the ground around the climbing structure. There were pieces of wood on the ground near the structure.
- 2) A small table with an unstable leg was observed near a side door that enters into the garage.
- 3) Under the steps leading to the deck there was a plastic cup, a hammer and a gardening tool.
- 3) A wooden swing that was in disrepair was observed hanging under the wooden deck. A rake and a metal ladder were observed in this same area.
- 4) Two metal ladders were observed propped against the side of the house. Weeds and pieces of wood were also observed in this area.
- 5) An uncovered container of trash was observed near the gate that exits the outdoor play area.
- 6) The large garage doors were open giving children access to lawnmowers, Sevin Brand lawn and insect granules, numerous boxes filled with a variety of items and various other hazardous materials. The provider indicated through interview the children do not go through the garage to get to the outdoor play area. It was stated they go out the front door and around through the gate.

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

Not In Compliance

640 - Breakfast

Not In Compliance

**922 KAR 2:100 - Section 15. Food Requirements.
(7) Breakfast shall include:
(a) Milk;
(b) A whole grain or an enriched grain bread; and
(c) Fruit, vegetable, or 100 percent juice.**

Findings:

General: Based on interview, the provider stated she served the children a Poptart, peaches and milk for breakfast. Poptarts do not meet the requirement for a bread for breakfast.

650 - Lunch/Dinner

Not In Compliance

**922 KAR 2:100 - Section 15. Food Requirements.
(9) Lunch and dinner shall include:
(a) Milk;
(b) Protein source;
(c) 1. Two (2) vegetables;
2. Two (2) fruits; or
3. One (1) fruit and one (1) vegetable; and
(d) A whole grain or an enriched grain bread.**

Findings:

General: Based on observation, the children were served three cheese pizza on a crust that could not be determined to be whole grain or enriched whole grain. An interview with the provider found she had thrown the box away to allow space in her freezer. Therefore, it could not be determined if the crust for the pizza was made from whole-grain or enriched whole-grain.

Food Service

Not In Compliance

655 - Sanitary Preparation/Storage of Food

Not In Compliance

**922 KAR 2:100 - Section 15. Food Requirements.
(1) A provider and an assistant shall:
(a) Use sanitary procedures when preparing and serving food;
(b) Refrigerate perishable food and beverages;**

Findings:

General: Based on observation, the following was found:

- 1) A dust pan was observed stored on top of cereal boxes on an open shelf in the area used for childcare.
- 2) A can of Herbel Essence hairspray was stored on an open shelf with a box of cereal, Goldfish crackers, serving bowls and Styrofoam bowls and other food items served to the children.
- 3) Plastic spoons, napkins, straws, a light bulb and two (2) hair combs were stored in a basket with compartments on a desk. The spoons were given to the children to eat their food. These method of storage of food items and utensils is unsanitary.

675 - Food not used as reward/punishment

Not In Compliance

922 KAR 2:100 - Section 15. Food Requirements.

(5) Food shall not be:

(a) Used for:

- 1. Reward; or**
- 2. Discipline; or**

(b) Withheld until all other food items are consumed.

Findings:

General: Based on observation, the children were served cheese pizza, peas and oranges for lunch. The oranges were placed in a bowl with the peeling left on them. The provider told the children they had to eat the other items served before they could eat the oranges. The children were not served milk until the end of lunch.

Children's Records

Not In Compliance

730 - Immunization

Not In Compliance

922 KAR 2:100 - Section 19. Records.

(1) A provider 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, found the following:

- 1) There were three (3) children who had an immunization certificate that was no longer current. The dates on the certificates are 8/25/2020, 11/18/2020 and 6/30/2021. Based on these children's date of enrollment, they have been enrolled for more than 30 days.
- 2) One (1) child did not have an immunization certificate on file. There was no documented date of enrollment for this child to determine if the child has been enrolled for more than 30 days.

735 - Children's information

Not In Compliance

922 KAR 2:100 - Section 19. 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;

Findings:

General: Based on observation and review of documentation, the surveyor found one (1) child's file did not contain any information including the child's date of enrollment, date of birth, identifying information, parent contact information, permission for emergency medical care or the name of number of the child's physician. In addition, there was no information regarding a preferred hospital, any allergies or other medical conditions or restrictions and any and all other information required by this regulation to be on file the first day the child attends.

740 - Permission for trips off premises

Not In Compliance

922 KAR 2:100 - Section 19. Records.

(1) A provider shall maintain:

(b) A written record for each child:

3. To contain:

g. A permission form for each trip away from the family child-care home signed by the child's parent in accordance with Section 18(1) of this administrative regulation;

Findings:

General: Based on interview and review of documentation, it was found that the provider takes the children to a nearby park to play. A review of the children's files found there was no written documentation from parents giving the provider permission to take their child to the park. Some of the children had a form signed by the parent giving permission for special events. This does not cover permission for a child to be taken specifically to the park.

Inspection Report

Written Documentation

Not In Compliance

765 - Fire Drill Requirements

Not In Compliance

922 KAR 2:100 - Section 12. The General Requirements of the Family Child-Care Home Environment.

(19) A fire drill shall be:

- (a) Conducted during hours of operation at least monthly; and**
- (b) Documented.**

Findings:

General: Based on review of documentation, the surveyor found there was no documentation to verify that monthly fire drills had been conducted for March, April, May and June of 2021.

770 - Earthquake Drill and Tornado Drill Requirements

Not In Compliance

922 KAR 2:100 - Section 12. The General Requirements of the Family Child-Care Home Environment.

(20) An earthquake drill and a tornado drill shall be:

- (a) Conducted during hours of operation at least quarterly; and**
- (b) Documented.**

Findings:

General: Based on review of documentation, there was no documentation to verify that a quarterly earthquake drill and a quarterly tornado drill had been conducted since the initial inspection conducted on 10/22/2020.

775 - Attendance Records

Not In Compliance

922 KAR 2:100 - Section 19. Records.

(1) A provider shall maintain:

- (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 14 if a child receives services from the provider through the Child Care Assistance Program.**

Findings:

General: Based on observation and review of documentation, there were five (5) children present. During review of the form used to document each child's time of arrival and time of departure it was found that only two (2) children had a documented time of arrival.

795 - Evacuation Plan Records

Not In Compliance

922 KAR 2:100 - Section 19. 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 review of documentation, the surveyor found the written evacuation plan in accordance with KRS 199.895 lists an individual who is not an employee of the provider. This individual is listed as in charge of specific tasks such as shelter in place coordinator, evacuation alternate and staff person in charge.

Posted/Available Documentation

Not In Compliance

820 - Diapering/Handwashing Procedures

Not In Compliance

922 KAR 2:100 - Section 14. Toilet and Diapering Requirements.

(8) The proper methods of diapering and hand-washing shall be available at each diaper changing area.

Findings:

General: Based on observation, the proper method for diapering a child was not posted in the diapering area.

Animals

Not In Compliance

830 - Animals

Not In Compliance

922 KAR 2:100 - Section 17. 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 and review of documentation, the provider's dogs were observed in the space used for child care. It was also found that the provider has two (2) cats. A review of the children's files and enrollment information found that parental consent for the pets had not been obtained for all of the children enrolled.

Posted Requirements

In Compliance

Signature of Provider/Representative

Title

Date