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Inspection Report

Provider Name: Noah's Ark Daycare Center	Provider Information	CLR No: L356929
Provider Address: 117 North 17th Street, Middlesboro, KY, 40965	Provider Type: LICENSED TYPE I	Capacity: 80
Owner(s): Kelly, Edith Sue		Director(s): Ballenger, Angel Renee

Inspection Type: Renewal Application	Inspection Information	Inspection No: 246526
Date Initiated: 11/05/2018 11:45 AM	Date Concluded: 11/05/2018 3:00 PM	
	No. of Children Present: 44	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance

345 - Staff Evaluation **Not In Compliance**

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.
(1) A director shall:
(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;

Findings:

General: Based on review of documentation, the surveyor found the following:

1. A staff's (2/22/02) annual written performance evaluation was not available for review during the renewal survey.
2. A staff's (DOH: 7/8/16) annual written performance evaluation was not signed or dated; therefore, the surveyor could not determine if the evaluation was current.
3. A staff's (8/30/17) annual written performance evaluation was not available for review during the renewal survey.

350 - Health, Safety, Comfort **Not In Compliance**

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.
(1) A director shall:
(l) Assure the health, safety, and comfort of each child;

Findings:

General: Based on observation, the surveyor found the following:

1. During a tour of the Preschool Room at naptime, the surveyor found that a child was sleeping on a cot. The cot was partially located under a table. The child was at risk of hitting his head on the table.
2. During a tour of the one-year-old children's classroom at naptime, the surveyor found that a child was sleeping on a mat next to the play kitchen. A door of the play kitchen was open and partially covered the mat where the child slept. The child was at risk of hitting the door.

395 - 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 review of documentation, the surveyor found that a staff's (DOH: 08/29/17) negative tuberculin result was not available for review.

410 - 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 within the first three (3) months of employment;
(b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, 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 during each subsequent year of employment, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on review of documentation and ECE-TRIS, the surveyor found the following:

1. A staff (DOH: 8/20/07) completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training on 10/20/13, thus, it was not within the past five (5) years.
2. A staff (DOH: 2/22/02) completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training on 10/14/13, thus, it was not within the past five (5) years.
3. A staff (DOH: 9/02/16) completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training on 10/23/13, thus, it was not within the past five (5) years.
4. Verification that a staff (DOH: 9/12/16) completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training was not available for review. This deficiency was previously cited on 10/27/17.
5. A staff (DOH: 8/29/17) completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training on 10/23/13, thus, it was not within the past five (5) years.
6. A staff (DOH: 8/30/17) completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training on 10/23/13, thus, it was not within the past five (5) years.
7. Verification that a staff (DOH: 7/18/18) completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training was not available for review.
8. Verification that a staff (DOH: 9/12/16) completed any cabinet-approved early care and education annual training was not available for review.
9. Verification that a staff (DOH: 8/30/17) completed any cabinet-approved early care and education annual training was not available for review.
10. Verification that a staff (DOH: 8/30/17) completed six (6) hours of cabinet-approved orientation training was not available for review.

Programming

In Compliance

Premises

Not In Compliance

520 - 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 during a tour of the School-age Room, the surveyor found that Lysol Cleaner was stored in an unlocked cabinet located under the sink.

650 - Toilet

Not In Compliance

922 KAR 2:120. Section 10. 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:

General: Based on observation of the two-year-old children's restroom, the surveyor found that the toilet tank had no lid. Through interview, staff reported that the tank lid was accidentally broken and not yet replaced.

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Hygienic Practices

Not In Compliance

685 - Diaper Changing Area/Surface

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

(10) When a child is 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 any items not used for diaper changing.**

Findings:

General: Based on observation during a tour of the Infant Room, the surveyor found multiple tears in the vinyl covering of the diaper-changing pad.

710 - Toy Sanitation Procedure

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

(4) A toy or another item that is considered a mouth contact surface by a child not toilet trained shall be sanitized daily by:

- (a) 1. Scrubbing in warm, soapy water using a brush to reach into crevices;**
- 2. Rinsing in clean water;**
- 3. Submerging in a sanitizing solution for at least two (2) minutes; and**
- 4. Air dried; or**
- (b) Cleaning in a dishwasher if the toy or other item is dishwasher safe.**

Findings:

General: Based on interview, the surveyor learned that staff in the classroom for the one-year-old children sanitize the mouth contact toys by using a paper towel to wash them in warm soapy water. Staff then spray the toys with bleach water and let them air-dry.

First Aid/Medication

Not In Compliance

730 - Medication

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

(6) Medication, including refrigerated medication, shall be:

(a) Stored in a separate and locked place, out of the reach of a child unless the medication is:

- 1. A first aid supply and is maintained in accordance with subsection (1) of this section;**
- 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;**
- 3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including:**
 - a. An epinephrine auto-injector shall be inaccessible to a child;**
 - b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;**
 - c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and**
 - d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12(1)(b) if an epinephrine auto-injector is administered to a child; or**
- 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;**

(b) Kept in the original bottle; and

(c) Properly labeled.

(7) Medication shall not be given to a child if the medication's expiration date has passed.

Findings:

General: Based on observation, the surveyor found a clear plastic bag containing three (3) pills of an unknown origin and eye drops in an unlocked first-aid kit.

Outdoor Play Area

Not Applicable

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Inspection Report

Food Service

Not In Compliance

1040 - Kitchen Equipment Clean and Sanitary

Not In Compliance

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

(7) The following shall be clean and sanitary:

- (a) Eating and drinking utensils;**
- (b) Kitchenware;**
- (c) Food contact surfaces of equipment;**
- (d) Food storage utensils;**
- (e) Food storage containers;**
- (f) Cooking surfaces of equipment; and**
- (g) Nonfood contact surfaces of equipment.**

Findings:

General: Based on observation, the surveyor found that the interior top, bottom and sides of the oven had dark stains and baked-on food particles.

1050 - 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 during a tour of the Two-Year-Olds Room, the surveyor found three (3) bottles stored in a refrigerator. All three (3) of the bottles were uncovered and two (2) were not labeled.

Children's Records

In Compliance

Written Documentation

Not In Compliance

1160 - Daily Attendance Records

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center 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 13, if a child receives services from the child-care center through the Child Care Assistance Program;**

Findings:

General: Based on observation during a tour of the classroom for the two-year-old children, the surveyor found that fourteen (14) children were present. Review of the Daily Attendance Record found that the arrival times for only twelve (12) children were documented.

Posted Documentation

Not In Compliance

1215 - 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 during a tour of the Preschool Room, the surveyor found that a daily schedule of activities was not posted. Interview with staff found that the daily schedule of activities was not available for review.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date