



Andy Beshear
GOVERNOR

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

Melissa A. Moore, Director
Division of Regulated Child Care
Southern Branch
116 Commerce Ave
London, KY 40744
Phone: (606) 330-2030 Fax: (606) 330-2056
<https://chfs.ky.gov/agencies/os/oig>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Kids First of Lily, LLC.	Provider Information	License No: L357658
Provider Address: 6344 South Us Hwy 25, Corbin, KY, 40701	Provider Type: LICENSED TYPE I	Capacity: 30
Owner(s): Kids First Of Lily LLC		Director(s): Henderson, Natasha UDelle

Inspection Type: Investigation	Inspection Information	Inspection No: 214820
Visit Start Date: 03/24/2016 3:30 PM	Visit End Date: 03/24/2016 5:30 PM	
No. of Children Present: 18		

Inspection Report

Staffing Requirements

40 - Ratios and Group Size

In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:

Age of Children Ratio Maximum Group Size*

Infant

1 staff for 5 children 10

Toddler

1 staff for 6 children 12

Preschool-age 2 to 3 years

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.**

Inspection Report

Director Requirements

250 - Staff Management/Policy Development/Supervision

Not In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

(1) Effective with the adoption of this administrative regulation, a director shall:

- (e) Manage the staff in their individual job descriptions;**
- (f) Develop child-care center plans, policies, and procedures;**
- (g) Supervise staff conduct to ensure implementation of program policies and procedures;**

Findings:

General: Based on review of documentation, the surveyor found that the Kids First of Lily Employee Policy Handbook states that "Staff must have a clear T.B. skin test and a clear criminal history check completed before beginning employment at Kid's First". Therefore, staff did not follow the policies set forth by the child care center when an individual was found to be alone and providing care for the children without having a completed criminal records background check or copy of a negative tuberculin result.

275 - Caregiver Alone

Not In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

(1) Effective with the adoption of this administrative regulation, a director shall:

- (n) Assume that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in Section 3(1)(e)6 of this administrative regulation;**

Findings:

General: Based on observation, on 03/24/15 at 3:30 p.m., the surveyor found that an individual (DOH: 03/21/16) was alone with five (5) children in the two-year-old room. Through interview with the Director, the surveyor learned that the individual did not have a personnel file and has worked as a "volunteer" for about two (2) weeks. The Director stated that the Criminal Records and Child Abuse and Neglect background checks had not been submitted. The surveyor observed that the individual was alone with the children on 03/24/16 at 3:30 p.m., 3:55 p.m., 4:35 p.m. and 5:25 p.m.

Employee Records

300 - Background checks/left alone

Not In Compliance

922 KAR 2:090. Section 6. License Issuance.

(5) An individual described in subsection (4) of this section shall:

- (a) Submit to background checks described in paragraph (b) of this subsection;**
- (b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:**
 - 1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
 - 2. Criminal records check required by KRS 199.896(19);**
 - 3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and**
 - 4. An address check of the Sex Offender Registry; and**
- (c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee.**

Findings:

General: Based on observation, on 03/24/15 at 3:30 p.m., the surveyor found that an individual (DOH: 03/21/16) was alone with five (5) children in the two-year-old room. Through interview, the Director stated that the criminal records and Child Abuse and Neglect background checks had not been submitted and that the individual had "volunteered" since 03/21/16. The surveyor observed that the individual was alone with the children on 03/24/16 at 3:30 p.m., 3:55 p.m., 4:35 p.m. and 5:25 p.m.

310 - Personnel File

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

- (e) A current personnel file for each child-care center staff person to include:**
 - 1. Name, address, date of birth, and date of employment;**
 - 2. Proof of educational qualifications;**
 - 3. Record of annual performance evaluation;**
 - 4. Written record of training participation to include:**
 - a. The training source;**
 - b. Location;**
 - c. Date; and**
 - d. Number of clock hours completed;**
 - 5. Every two (2) years, a:**
 - a. Statement from a health professional that the individual is free of active tuberculosis; or**
 - b. Copy of negative tuberculin results; and**
 - 6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:**
 - a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
 - b. Criminal records check required by KRS 199.896(19);**
 - c. Criminal records check from any previous state of residence completed once if:**
 - (i) The individual resided outside the state of Kentucky in the last five (5) years; and**
 - (ii) No criminal records check has been completed for the individual's previous state of residence; and**
 - d. An address check of the Sex Offender Registry;**

Findings:

General: Based on observation, on 03/24/15 at 3:30 p.m., the surveyor found that an individual (DOH: 03/21/16) was alone with five (5) children in the two-year-old room. Through interview with the Director, the surveyor learned that the person did not have a personnel file and has worked as a "volunteer" for about two (2) weeks. Review of documentation indicated that the individual had worked the following: (03/21/16) 8:50 a.m. until 12:00 p.m. and 1:00 p.m. until 5:00 p.m., (03/22/16) 9:00 a.m. until 12:00 p.m. and 1:00 p.m. until 5:30 p.m., (03/23/16) 8:30 a.m. until 12:00 p.m. and 1:00 p.m. until 7:00 p.m. and was observed to be providing care for the children on (03/24/16) from 3:30 p.m. until 5:25 p.m.

315 - Educational Requirements**Not In Compliance****922 KAR 2:110. Section 5. 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 review of documentation, the surveyor found no verification that a person (DOH: 03/21/16) that was providing care for the children on 03/24/16 had obtained a High School Diploma, GED or Commonwealth Child Care Credential.

320 - TB Verification**Not In Compliance****922 KAR 2:110. Section 5. 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 no verification that a person (DOH: 03/21/16) that was providing care for the children on 03/24/16 had obtained a copy of a negative tuberculin result or a statement from a health care professional that the individual is free of active tuberculosis.

Programming**395 - Electronic Viewing/Listening Planned Program****Not In Compliance****922 KAR 2:120. Section 3. General Requirements.****(1) Electronic viewing and listening devices shall only be used in the center as a part of the child's planned program of activity described Section 2(4) of this administrative regulation.****Findings:**

General: Based on observation during a tour of the child care center on 03/24/16 at 3:30 p.m., the surveyor found that seven (7) preschool-age children were seated at tables located in the Preschool Room while watching a Nickelodeon cartoon on television. The television program was not documented on the Lesson Plan.

415 - Toddler Combined with Preschool**Not In Compliance****922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.****(3) A toddler may participate in an activity with an older child for more than one (1) hour per day if:**

- (a) The toddler is in transition to the pre-school age group;**
- (b) The toddler is twenty-one (21) months or older;**
- (c) Space for the toddler is available in the preschool-age group;**
- (d) The staff-to-child ratios and group sizes are maintained based the age of the youngest child;**
- (e) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and**
- (f) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.**

Findings:

General: Based on observation during a tour of the child care center on 03/24/16 at 3:30 p.m., the surveyor found that a toddler-age child (DOE: 09/28/15) was being provided care with four (4) two-year-old children. During interviews with staff, the surveyor was informed that the child had been placed in the two-year-old room for about two (2) months for transition purposes. The child's file did not contain a written Transition Plan nor was there documentation indicating the times of attendance in each classroom. Staff interviews conclude that when the staff-to-child ratio is exceeded in the Infant and Toddler Room, the oldest child is then placed with the preschool-age children.

Equipment**730 - Crib/Mattress/Sheet****In Compliance****922 KAR 2:120. Section 6. Sleeping and Napping Requirements.****(3) Rest time shall include adequate space specified by 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;**

Inspection Report**Food Service****920 - Kitchen Requirements****Not In Compliance****922 KAR 2:120. Section 8. Kitchen Requirements.****(1) The kitchen shall:****(a) Be clean;****(b) Be equipped for proper food:****1. Preservation;****2. Storage;****3. Preparation; and****4. Service;****(c) Be adequately ventilated to the outside air; and****(d) Except in a Type II child-care center when a meal is not being prepared, not be used for the activity of a child.****Findings:**

General: Based on observation during a tour of the child care center on 03/24/16 at 3:30 p.m., the surveyor found that a staff's biological child was sitting at a desk while using a computer located in the kitchen of the Type-1 child care center. The staff person in the preschool room was standing close to the doorway and could observed the seven (7) children that were watching television in the classroom as well as the child in the kitchen. The staff person removed the child from the kitchen; however, he returned to the kitchen for an additional five to six (5-6) minutes.

Signature of
Provider/Representative

Title

Date