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**Inspection Report**

<b>Provider Name:</b> Tammy Embry's Play School	<b>Provider Information</b>	<b>CLR No:</b> L354073
<b>Provider Address:</b> 103 Kelly Street, Leitchfield, KY, 42754	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 99
<b>Owner(s):</b> Tammy Embry's Play School, Inc.		<b>Director(s):</b> Embry, Tammy Ann

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 246081
<b>Date Initiated:</b> 09/11/2018 10:30 AM	<b>Date Concluded:</b> 09/11/2018 2:50 PM	
	<b>No. of Children Present:</b> 91	

Inspection Report	
<b>Background Checks</b>	<b>In Compliance</b>
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>Not In Compliance</b>
<b>125 - Ratios and Group Size</b>	<b>Not In Compliance</b>

**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	30
(for before and after school)	1 staff for 20 children	30
(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, two (2) caregivers hired on 5/1/09 and 7/1/16, supervised twenty-six (26) children in the three-year and four-year-olds' room. The youngest child was a thirty-three-month-old; therefore, the maximum group size was not met maintained. Also, two (2) caregivers hired on 6/25/18 and 6/12/18, supervised eleven (11) children in the one-year-olds' room; therefore, the maximum group size was not maintained. The youngest child was an eleven-month-old.

**Inspection Report**

**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, a caregiver hired on 8/1/14, had an evaluation dated 3/17/17.

**Employee Records**

**Not In Compliance**

**390 - 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 Review of Documentation, two (2) caregivers, hired on 6/25/18 and 5/1/16, and two (2) caregivers, both hired on 6/12/18, did not have documentation of education on file.

**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, a caregiver hired on 5/1/16, had TB documentation dated 8/5/16. A caregiver hired on 6/12/18, had no TB documentation on file.

**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, two (2) caregivers hired on 8/1/17 and 6/1/15, lacked nine (9) hours of training. The director hired on 1/1/90, lacked six (6) hours of training. Four (4) caregivers hired on 7/1/15, 8/8/00, 7/1/16, and 8/1/14, lacked fifteen (15) hours of training. A caregiver hired on 5/10/10, lacked a half (1/2) hour of training. A caregiver hired on 5/1/09, lacked one and a half (1 ½) hours of training. Four (4) caregivers hired on 8/1/17, 7/1/15, 6/1/15, and 7/1/16, each had not completed the Pediatric Abusive Head Trauma Training. The director hired on 1/1/90, last completed the Pediatric Abusive Head Trauma Training on 6/18/13, and a caregiver hired 6/1/15, last completed Pediatric Abusive Head Trauma Training on 6/13/13.

**Programming**

**Not In Compliance**

**420 - Program of Activities Followed**

**Not In Compliance**

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

**(4) The child-care center shall provide a daily planned program:**

- (a) Posted in writing in a conspicuous location with each age group and followed;**
- (b) Of activities that are individualized and 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) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:**

- 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;**
- 9. Indoor or outdoor play in which a child makes use of both small and large muscles;**
- 10. A balance of active and quiet play, including group and individual activity;**
- 11. An opportunity for a child to:**
  - a. Have some free choice of activities;**
  - b. If desired, play apart from the group at times;**

**Findings:**

General: Based on Observation, there was no posted daily planned program of activities in the three-year and four-year-olds' room.

**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, a can of Freeze It Mega Freeze Hair Spray, a flat tip screwdriver, and a personal cell phone were on a table in the three-year-old and four-year-olds' room. Also, a pink purse and a red and white striped purse were on the floor in the three-year and four-year-olds' room. These items were accessible to the children.

**580 - Floors, Walls, Ceilings**

**Not In Compliance**

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

**(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.**

**Findings:**

General: Based on Observation, three (3) floor tiles were broken in a restroom next to the four-year-old and five-year-olds' room.

**645 - Sink**

**Not In Compliance**

**922 KAR 2:120. Section 10. 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, the hot water registered at eighty (80) degrees Fahrenheit at a sink in the restroom, located across from the water fountain near the kitchen. The hot water registered at seventy-nine (79) degrees Fahrenheit at a sink in the infants' room. The hot water registered at eighty (80) degrees Fahrenheit at three (3) handwashing sinks in the two-year-olds' room. In addition, there was no cold running water at a handwashing sink in the three-year-old and four-year-olds' room.

**655 - 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, a toddler had clear mucus below her nose in the one-year-olds' room.

**660 - 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 after she blew her nose in the four-year and five-year-olds' room. A caregiver wiped a child's nose in the one-year-olds' room, but did not wash her hands afterwards.

**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, the surface of the diaper changing pad had several small tears in the three-year and four-year-olds' room.

**Inspection Report**

**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, a tube of eczema fast healing cream was not labeled to indicate for whom it was intended. Also, the tube of eczema fast healing cream and a tube of Kroger sunscreen lotion were stored in a child's unlocked cubby in the two-year-olds' room.

**Outdoor Play Area**

**In Compliance**

**Equipment**

**Not In Compliance**

**820 - Indoor/Outdoor Equipment**

**Not In Compliance**

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

- (2) Indoor and outdoor equipment shall:**
  - (a) Be clean, safe, and in good repair;**
  - (b) Meet the physical, developmental needs, and interests of children of different age groups;**
  - (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
  - (d) Be designed to guard against entrapment or situations that may cause strangulation.**

**Findings:**

General: Based on Observation, the front cover of a water fountain was missing in hallway near the four-year-old and five-year-olds' room. A plastic handle was missing from a cabinet door and exposed two (2) jagged-edge stubs in the four-year-old and five-year-olds' room. A Little Tikes Police Car had a broken wheel in the outdoor play area. Rust was on five (5) swing chains in the outdoor play area. One (1) foot pedal was missing from a red tricycle, and both foot pedals were missing from a yellow Angeles Tricycle in the outdoor play area. A 7x4 inch piece of wood was missing from a wooden platform on a red slide with a red barrel in the outdoor play area.

**Transportation**

**Not Applicable**

**Food Service/Food Program**

**In Compliance**

**Food Service**

**Not In Compliance**

**1025 - 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, there was no thermometer in the one-year-olds' room refrigerator.

**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, three (3) bottles were not covered in a refrigerator in the one-year-olds' room.

**1070 - Food Protected From Contamination**

**Not In Compliance**

**922 KAR 2:120. Section 9. Food and Meal Requirements.**

- (1) Food shall be:**  
**(h) Protected against contamination from:**
1. Dust;
  2. Flies;
  3. Rodents and other vermin;
  4. Unclean utensils and work surfaces;
  5. Unnecessary handling;
  6. Coughs and sneezes;
  7. Cuts in skin;
  8. Communicable disease;
  9. Flooding;
  10. Drainage; and
  11. Overhead leakage.

**Findings:**

General: Based on Observation, two (2) bags of grapes and a bowl of strawberries were uncovered in the kitchen refrigerator.

**Children's Records**

**Not In Compliance**

**1135 - 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 enrolled on 2/28/18, had an immunization certificate valid until 4/12/18. A child enrolled on 6/11/18, had an immunization certificate valid until 6/27/18. Also, a child enrolled on 10/10/17, had no date of expiration on the immunization certificate.

**1140 - 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 Review of Documentation, six (6) children, enrolled on 10/10/17, 6/1/18, 5/30/17, 1/10/18, 8/6/18, and 8/8/17, did not include a preferred hospital on the enrollment form. A child enrolled on 6/1/18, did not include their parent's signature on the enrollment form. Also, a child enrolled on 8/6/18, did not include authorization by the parent for the center to seek emergency medical care for the child.

**Written Documentation**

**Not In Compliance**

**1170 - Professional Development**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

- (1) A child-care center shall maintain:**  
**(f) A written annual plan for child-care staff professional development;**

**Findings:**

General: Based on Review of Documentation, a caregiver hired on 7/1/15, had no professional development plan on file. Three (3) caregivers hired on 9/4/01, 5/1/16, and 5/1/09, each had a professional development plan on file dated 5/16/17.

Inspection Report

1185 - Confidentiality/Maintenance/Access

Not In Compliance

922 KAR 2:090. Section 9. Records.

(2) A child-care center shall:

- (a) Maintain the confidentiality of a child's record and information concerning a child or the child's parent;
- (b) Maintain all records for five (5) years; and
- (c) Provide the cabinet access and information in the completion of the investigation pursuant to KRS 620.030(4) and (5).

Findings:

General: Based on Observation, four (4) children's allergy information was posted on a paper towel dispenser in plain view located in the two-year-olds' room.

Posted Documentation

Not In Compliance

1200 - Posting Requirements

Not In Compliance

922 KAR 2:090. Section 8. General.

(6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:

- (a) The provider's preliminary or regular license;
- (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
- (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
- (d) Information on the Kentucky Consumer Product Safety Program and the program's Website as specified in KRS 199.897;
- (e) A description of services provided by the child-care center, including:
  - 1. Current rates for child care; and
  - 2. Each service charged separately and in addition to the basic rate for child care;
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
- (g) Daily planned program.

Findings:

General: Based on Observation, the center had posted the statement of deficiencies and plans of correction from 2016; therefore, the center failed to post the most current statement of deficiencies and plans of correction.

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, the posted schedule of daily activities was dated January through December 2017 in the four-year and five-year-olds' room. Also, the posted schedule of daily activities was not dated in the one-year-olds' room and the three-year and four-year-olds' room.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date