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Adam Mather
INSPECTOR GENERAL

Inspection Report

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

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|---------------------------------------------|--------------------------------------------|------------------------------|
| Inspection Type: Renewal Application | Inspection Information | Inspection No: 290944 |
| Date Initiated: 10/16/2019 9:20 AM | Date Concluded: 10/16/2019 12:40 PM | |
| | No. of Children Present: 88 | |

| Inspection Report | |
|------------------------------------|--------------------------|
| Background Checks | In Compliance |
| Supervision | In Compliance |
| Staffing Requirements | Not In Compliance |
| 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) | 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, a caregiver was alone while she supervised fourteen (14), one-year-old children. A second caregiver entered from the outside. During interview, the first caregiver stated she supervised the children alone for five (5) minutes, while the second caregiver went to the restroom. During interview, the second caregiver stated she went to take the trash outside. Minimum staff/child ratios and group size was not maintained.

Inspection Report

General Administration

In Compliance

Director Requirements

In Compliance

Employee Records

Not In Compliance

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, a caregiver hired 05/30/19, completed orientation training on 09/12/19; therefore, she did not complete the training within the first three (3) months of employment. A caregiver hired 04/01/17, did not complete one and one-half (1 1/2) hour of the required pediatric abusive head trauma training. A caregiver hired 01/15/04, completed five (5) hours of annual training. A caregiver hired 01/01/90, completed 13.5 hours of annual training. A caregiver hired 06/25/18, and a caregiver hired 06/22/18, each completed 6.5 hours of training within their first year of employment.

Programming

Not In Compliance

430 - Electronic Viewing/Listening Devices

Not In Compliance

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

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

(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 the following:

12. Use of electronic viewing and listening devices if the:

- a. Material is appropriate to the child using the equipment;**
- b. Material does not include any violence, adult content viewing, or inappropriate language;**
- c. Viewing or individual listening is limited to two (2) hours per day;**
- d. Viewing or listening is discussed with parents prior to viewing or listening; and**
- e. Viewing or listening is designed as an educational tool.**

(5) A child who does not wish to use the electronic devices during the planned program shall be offered other appropriate activities.

Findings:

General: Based on observation and interview, the children watched a movie on the television while the ate breakfast in the three-year-old room.

495 - Bedding/Toys in Crib

Not 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:**
 - 3. No loose bedding, such as a bumper or a blanket; and**
 - 4. No toys or other items except the infant's pacifier;**

Findings:

General: Based on observation, two (2) infant children wore bibs around their necks while they slept in the cribs. An infant child had a bib around his neck with a pacifier fabric clip attached, while he slept in the crib.

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 caregiver's thirty-two ounce drink set on a child's table and a large metal drinking cup labeled with the caregiver's name set on a shelf in the three-year-old room. These items were accessible to the three-year-old 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, a large area of ceiling plaster, approximately the size of a basketball and a smaller section of ceiling plaster, approximately the size of a softball, was peeled away from the ceiling in the preschool room.

Inspection Report

Hygienic Practices

Not In Compliance

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 preschool child did not wash his hands when he arrived.

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, the infant caregiver wore gloves but did not wash her hands before she diapered a child.

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, a diaper changing mat in the two-year-old room and a diaper changing mat in the toddler room were torn.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Inspection Report

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, three (3) large ceiling lights in the preschool room; two-year-old room and in the toddler room; and two (2) ceiling lights in the three-year-old room, were not in good repair.

There were dead bugs in the ceiling light fixture in the preschool room. Interview confirmed they were dead bugs.

A cell phone cord, and an extension cord was on the floor beside the children's toys in the three-year-old room.

The large 5X5 square toddler mat was frayed throughout in the toddler room.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

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 and interview, the toddler's drinking cups were washed and rinsed in the same handwashing sink used by staff and children, daily. Interview revealed these drinking cups were reused each day at meal time. These drinking cups were not cleaned in a sanitary manner.

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 08/08/19; a child enrolled 05/20/19, and a child enrolled 04/02/18, did not have an immunization certificate on file.

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, a child enrolled 08/08/19, did not have her physician information on file. A child enrolled 02/07/18, did not have her preferred hospital information, her physician information and her emergency authorization on file.

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 review of documentation, three (3) children on 10/14/19, and one (1) child on 10/15/19, did not have a documented departure time. One (1) child on 10/14/19, and four (4) children on 10/15/19, did not have a documented arrival time.

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 and review of documentation, a list of children's names, with their immunization information, was posted on the wall between the two-year-old room and the three-year-old room. The information was available for the public view and contained confidential medical information.

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 review of documentation, the statement of deficiencies/plan of corrections were not posted for the current licensure year. The renewal dated 09/11/18, was posted; however, the center received two additional inspections with deficiencies documented. All the additional violations issued during the current licensure year were not posted.

Animals

In Compliance

Signature of Provider/Representative

Title

Date