



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Western Branch
901 B South Main Street
Hopkinsville, KY 42240

Adam Mather
INSPECTOR GENERAL

Phone: (270) 889-6052 Fax: (270) 889-6089
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

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

Inspection Type: Renewal Application	Inspection Information	Inspection No: 305320
Date Initiated: 11/30/2020 10:05 AM	Date Concluded: 11/30/2020 1:45 PM	
	No. of Children Present: 45	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	Not In Compliance
120 - Adequate Adults/Qualified Staff	Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.
(10) The minimum number of adult workers in a child-care center shall be sufficient to ensure that:
(a) Minimum staff-to-child ratios in accordance with 922 KAR 2:120 are followed;
(b) Each staff person under eighteen (18) years of age and each student trainee are under the direct supervision of a qualified staff person who meets the requirements of this section; and
(c) Unless providing care with a qualified staff person, a person under the age of eighteen (18) shall not be counted as staff for the staff-to-child ratio.

Findings:

General: Based on observation, a caregiver hired on 8/2/20, cared for seven (7) preschool children alone in the second half of the preschool room. The caregiver was under the age of eighteen and was not under direct supervision of a qualified caregiver, therefore, staff/child ratios were not maintained.

General Administration	In Compliance
Director Requirements	In Compliance
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, a caregiver hired on 8/2/20, did not have documentation to verify the caregiver's enrollment in high school. A caregiver hired on 1/3/20, did not have education verification on file.

Inspection Report

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 on 8/2/20, did not complete six (6) hours of cabinet approved orientation training. A caregiver hired on 9/19/19, did not complete one and a half (1 1/2) hours cabinet approved pediatric abusive head trauma training.

Programming

In Compliance

Premises

Not In Compliance

640 - Toilet Room

Not In Compliance

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

- (2) A toilet room shall:
- (a) 1. Be provided for each gender; or
 - 2. A plan shall be implemented to use the same toilet room at separate times;
 - (b) Have a supply of toilet paper; and
 - (c) Be cleaned and disinfected daily.

Findings:

General: Based on observation, paper towels overflowed from a waste receptacle onto the floor in the restroom located near the four and five-year-olds' room.

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, urine was in a toilet that had not been flushed after usage in the preschool restroom. Brown grime was at the base of a toilet's spud flange in the preschool restroom.

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, a tear, one and a half (1 1/2) inches long, was in the diaper changing pad in the nursery. Small tears and an inch inch long tear were in the diaper changing pad located in the one-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 Parent's Choice Diaper Ointment was not labeled to indicate to whom it belonged to and was accessible to children on a diaper changing station in the hallway next to the the two-year-olds' restroom.

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, a foot pedal was missing from a yellow tricycle and two (2) red tricycles in the outdoor play area.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

Not In Compliance

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, two (2) children enrolled on 6/11/19 and 7/31/19, each did not have information on file for staff to contact the child's physician.

Inspection Report

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, nine (9) parents prematurely signed the DCC-94E, Child Care Daily Attendance Record form prior to the end of the week.

Posted Documentation

In Compliance

Animals

Not Applicable

Emergency Regulation

Not In Compliance

1255 - Emergency Regulation

Not In Compliance

922 KAR 2:405E. Emergency Regulation.

Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:405E, to prevent the spread of COVID-19.

Findings:

General: Based on observation and review of documentation, the center failed to ensure:

- 1.) Machine washable toys shall not be used, in accordance with 922 KAR 2:405E Section 6 (3). A pink stuffed toy was on a shelf in the first half of the four and five-year-olds' room. Also, a stuffed toy whale, a stuffed toy doll, and a blue, round shaped stuffed pillow were on the floor of the second half of the preschool room.
- 2.) All child care staff, directors, owners and operators complete a new, mandatory training on cleaning, sanitizing, health procedures, and mandatory reporting prior to the date of reopening, in accordance with 922 KAR 2:405E Section 9 (1). A caregiver hired on 8/2/20, did not complete the mandatory training.

Signature of Provider/Representative

Title

Date