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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> 318377 |
| <b>Date Initiated:</b> 09/01/2021 9:50 AM   | <b>Date Concluded:</b> 09/01/2021 2:10 PM |                              |
|   | <b>No. of Children Present:</b> 67        |                              |

**Inspection Report**

|                                     |                          |
|-------------------------------------|--------------------------|
| <b>Background Checks</b>            | <b>Not In Compliance</b> |
| <b>10 - Submit background check</b> | <b>Not In Compliance</b> |

**922 KAR 2:280 - Section 4. Procedures and Payments.**  
**(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:**  
**(a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member;**  
**(b) Request that the prospective child care staff member complete and sign the:**  
 1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and  
 2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and  
**(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:**  
 1. Child abuse and neglect central registry pursuant to 922 KAR 1:470;  
 2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and  
 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.

**Findings:**  
 General: Based on review of documentation, two (2) caregivers hired 8/2/20 and 8/23/21, did not initiate the process of obtaining background checks in the NBCP portal.

|                               |                          |
|-------------------------------|--------------------------|
| <b>Supervision</b>            | <b>In Compliance</b>     |
| <b>Staffing Requirements</b>  | <b>In Compliance</b>     |
| <b>General Administration</b> | <b>Not In Compliance</b> |

|   |                          |
|---|--------------------------|
| <b>180 - Plan of Correction/15 days</b> | <b>Not In Compliance</b> |
|---|--------------------------|

**Findings:**  
 A PLAN OF CORRECTION WAS DUE ON 12/07/2021 AND AS OF 12/09/2021, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

|                                      |                          |
|--------------------------------------|--------------------------|
| <b>225 - Licensee Responsibility</b> | <b>Not In Compliance</b> |
|--------------------------------------|--------------------------|

**922 KAR 2:090. Section 8. General.**  
**(1) A licensee shall:**  
**(a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and**  
**(b) Protect and assure the health, safety, and comfort of each child.**

**Findings:**  
 General: Based on review of observation, spoons were in a sink in the infants' room and bottles were in a sink in the one-year-olds' room. An interview determined the spoons and bottles were washed at the same sinks used for handwashing after diaper changes. Both spoons and bottles were used by the children in the infants' and one-year-olds' rooms.

**Inspection Report**

**Director Requirements**

**In Compliance**

**Employee Records**

**Not In Compliance**

**400 - 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 8/26/21 and 8/23/21, each did not have education verification on file.

**405 - 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 7/1/16, had TB documentation on file that was dated 8/13/18. A caregiver hired on 5/30/19, had TB documentation on file that was dated 4/9/19. A caregiver hired on 6/1/09, had TB documentation on file that was dated 3/28/19. A caregiver hired on 3/24/21, had TB documentation on file that was dated 8/30/17. A caregiver hired on 8/8/00, had TB documentation on file that was dated 6/27/19. A caregiver hired on 5/10/10, had TB documentation on file that was dated 3/28/19. A caregiver hired on 8/26/21, did not have TB documentation on file.

**435 - 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 completed within the first three (3) months of employment in a child-care program;**
  - (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, 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 completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**
- (17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.**

**Findings:**

General: Based on review of documentation, a caregiver hired on 5/30/19, completed thirteen (13) hours of training during a subsequent year of employment. Three (3) caregivers hired on 7/1/16, 1/1/90, and 5/10/10, each completed eleven (11) hours of training during a subsequent year of employment. Two (2) caregivers hired on 6/1/09 and 8/8/00, each completed twelve (12) hours of training during a subsequent year of employment. Two (2) caregivers hired on 1/1/12 and 4/1/14, each completed ten (10) hours of training during a subsequent year of employment. A caregiver hired on 7/20/14, completed fourteen (14) hours of training during a subsequent year of employment.

**Programming**

**Not In Compliance**

**455 - 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 and 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, a program of activities was not posted in the preschool room, three-year-olds' room, and one-year-olds' room.

**Inspection Report**

**Premises**

**Not In Compliance**

**565 - 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 Lysol Multi-Cleaner Spray was on a shelf and was accessible to children in the three-years-old room.

**625 - 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, an approximately one (1) feet long brown circle and a smaller circle were on the ceiling in the one-year-olds' room. An interview determined the HVAC system leaked and caused the stains on the ceiling.

**690 - Sink**

**Not In Compliance**

**922 KAR 2:120. Section 12. 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 temperature registered eighty-two (82) degrees Fahrenheit at a sink in a restroom near the foyer. The hot water temperature registered eighty (80) degrees Fahrenheit at a sink in the infants' room, at two (2) sinks in the two-year-olds' room, and at two (2) sinks in the restroom of the two-year-olds' room. The hot water temperature registered seventy-nine (79) degrees Fahrenheit at a sink in the one-year-olds' room. Cold water did not dispense from a sink when the cold water faucet was turned in the restroom adjacent to the preschool room.

**Hygienic Practices**

**Not In Compliance**

**730 - Diaper Changing Area/Surface**

**Not In Compliance**

**922 KAR 2:120. Section 12. 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 fitted cloth cover was on diaper changing pad in the infants' room. Interview determined the fitted cloth cover was not removed during diaper changes.

Inspection Report

First Aid/Medication

Not In Compliance

775 - 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 13(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 jar of Better Than Kisses Healing Balm and a jar of Aquaphor Healing Ointment were not labeled to indicate to whom they each belonged to in a white storage bin in the one-year-olds' room. A tube of Aquaphor Healing Ointment was not labeled to indicate to whom it belonged to in a cubby in the two-year-olds' room. Also, two (2) cans of Studio Selection Kids Sunscreen Spray were in a lost and found bin on the floor, which was accessible to children, in the three-year-olds' room.

Outdoor Play Area

Not In Compliance

795 - Playground Conditions

Not In Compliance

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

(20) An outdoor play area shall be:

- (d) Safe from foreseeable hazard;
- (e) Well drained;
- (f) Well maintained;
- (g) In good repair; and
- (h) Visible to staff at all times.

Findings:

General: Based on observation, a cement block which anchored a blue swing set was partially above the mulch in the outdoor play area. The cement block was approximately one (1) foot long.

Equipment

Not In Compliance

865 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 13. 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, dark soiled spots were on a green area rug in the two-year-olds' room and on a brown area rug in the three-year-olds' room. A foot pedal was missing from a yellow Angeles Tricycle and a red Angeles Tricycle in the outdoor play area. Also, rust was on the chain links of five (5) swings in the outdoor play area.

Transportation

Not Applicable

Kitchen Requirements

Not In Compliance

1045 - Frozen Food

Not In Compliance

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

(5) Frozen food shall be:

- (a) Kept at a temperature of zero degrees Fahrenheit or below; and
- (b) Thawed:
  - 1. At refrigerator temperatures;
  - 2. Under cool, potable running water;
  - 3. As part of the cooking process; or
  - 4. By another method in accordance with the Department for Public Health's food safety standards and permits, established in KRS Chapter 217.

Findings:

General: Based on observation, there was no thermometer to indicate the temperature in a freeze in the kitchen.

**Inspection Report**

**1065 - 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, a bottle was not labeled in the infants' room. Also, a second bottle was not covered in the infants' room.

**Food Service**

**In Compliance**

**Meal Planning/Center Provides Meals**

**In Compliance**

**Meal Planning/Center Does Not Provide Meals**

**Not Applicable**

**Children's Records**

**Not In Compliance**

**1250 - 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 on 2/1/21, did not have information on file for staff to contact the child's physician. A child enrolled on 3/29/21, did not include general health status on the enrollment form. Two (2) children, enrolled on 6/11/19, and 7/16/20, each did not include information on file for staff to contact the child's physician and general health status on the enrollment form.

**Written Documentation**

**In Compliance**

**Posted Documentation**

**Not In Compliance**

**1325 - 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, there was no posed schedule of daily activities in the preschool room. There was no date on the posted schedule of daily activities in the one-year-olds' room. The posted schedule of daily activities was dated January 2019 – December 2020 in the two-year-olds' room and three-year-olds' room.

**Animals**

**Not Applicable**

Signature of Provider/Representative

Title

Date