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**Inspection Report**

<b>Provider Name:</b> Robin's Nest Daycare	<b>Provider Information</b>	<b>CLR No:</b> L357982
<b>Provider Address:</b> 55 East Wilson Drive, Columbia, KY, 42728	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 98
<b>Owner(s):</b> Robin's Nest Daycare Inc.		<b>Director(s):</b> Franklin, Robin Ann

<b>Inspection Type:</b> Investigation	<b>Inspection Information</b>	<b>Inspection No:</b> 322021
<b>Date Initiated:</b> 07/05/2022 9:50 AM	<b>Date Concluded:</b> 08/05/2022 11:10 AM	
	<b>No. of Children Present:</b> 57	

Inspection Report	
Background Checks	Not In Compliance
<b>5 - Background check/left alone/dismissed/relocated</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280. Section 3. Implementation and Enforcement.</b></p> <p><b>(1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.</b></p> <p><b>(2) A child care staff member hired on or after April 1, 2018, shall:</b></p> <p><b>(a) Have completed the background checks required in accordance with this administrative regulation and been found to have no disqualifying offense prior to becoming a child care staff member; or</b></p> <p><b>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</b></p> <p><b>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</b></p> <p><b>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</b></p>	
<p><b>Findings:</b></p> <p>General: Based on review of the Kentucky National Background Check Service, the surveyor found the following:</p> <p>1. A staff (DOH: 12/09/21) had a completed background check with an eligibility date of 12/23/21; therefore, the staff person was hired prior to clearance for employment. During interview, staff stated that they were not aware that the staff person had to submit to fingerprints prior to being hired. Staff-in-charge stated that the staff person did not work alone with children. The staff's file did not contain a completed Child Abuse/Neglect Background Check or Criminal Records Background Check.</p> <p>2. A staff (DOH: 05/10/22) had a completed background check with an eligibility date of 05/12/22; therefore, the staff person was hired prior to clearance for employment. During interview, staff stated that they were not aware that the staff person had to submit to fingerprints prior to being hired. Staff-in-charge stated that the staff person did not work alone with children. The staff's file did not contain a completed Child Abuse/Neglect Background Check or Criminal Records Background Check.</p> <p>3. A staff (DOH: 03/21/22) had a completed background check with an eligibility date of 03/29/22; therefore, the staff person was hired prior to clearance for employment. During interview, staff stated that they were not aware that the staff person had to submit to fingerprints prior to being hired. Staff-in-charge stated that the staff person did not work alone with children. The staff's file did not contain a completed Child Abuse/Neglect Background Check or Criminal Records Background Check.</p>	

**Inspection Report**

**Supervision**

**Not In Compliance**

**90 - Children Supervised**

**Not In Compliance**

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

**(3)(a) Each center shall maintain a child-care program that assures each child shall be:**

**1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:**

- a. Within scope of vision and range of voice; or**
- b. For a school-age child, within scope of vision or range of voice;**

**Findings:**

General: Based on review of video footage at child-care center for the week of 06/20/22 – 06/24/22, the surveyor found the following:

1. Staff were observed to place children inside cribs during nap time throughout the week of 06/20/22 – 06/24/22 in the Infant Classroom. Some of the cribs were observed to be positioned not within scope of vision of the front part of the classroom. The surveyor observed staff in the front part of the classroom while children were asleep in the cribs; therefore, the children were not within scope of vision.
2. The surveyor observed a child to be placed in a swing multiple times throughout the week of 06/20/22 – 06/24/22 for varying lengths of time in the Infant Classroom. The swing was observed to be placed beside a crib and the crib was observed to block the view of the swing from the front part of the classroom. The surveyor observed staff in the front part of the classroom while the child was in the swing; therefore, the child was not within scope of vision. Staff were observed to check on the child while he was placed inside the swing. Based on review of documentation, the surveyor learned that the child was three-months-old.

**Staffing Requirements**

**In Compliance**

**General Administration**

**Not In Compliance**

**225 - Licensee Responsibility**

**Not In Compliance**

**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 documentation, the surveyor found the following:

1. A staff's (DOH: 06/24/20) file did not contain a completed Criminal Records Background Check (CRC). The staff's file contained a completed Child Abuse/Neglect Background Check dated 06/23/20. During interview, staff stated that they were not aware they had to complete the Criminal Records Background Check. Staff-in-charge stated that the staff person did not work alone with children. Based on review of the Kentucky National Background Check Service, the staff person had a completed background check with an eligible for hire date of 06/24/21.
2. A staff's (DOH: 07/31/20) file did not contain a completed Criminal Records Background Check (CRC). The staff's file contained a completed Child Abuse/Neglect Background Check dated 08/05/20. During interview, staff stated that they were not aware they had to complete the Criminal Records Background Check. Staff-in-charge stated that the staff person did not work alone with children. Based on review of the Kentucky National Background Check Service, the staff person had a completed background check with an eligible for hire date of 06/17/21.
3. Based on interviews, the surveyor learned that a staff person lightly tapped the hand of one-year-old children that were biting or hitting in the Infant Classroom approximately one (1) or two (2) times. Through interview, the surveyor learned that the tap to the children's hands did not leave a mark, or any redness and the children did not cry when their hand was tapped.
4. Based on review of video footage at the child-care center for the week of 06/20/22 – 06/24/20, the surveyor observed a child to be swaddled multiple times throughout the video footage, restricting the child's arms. The surveyor observed the child to be placed in a swing while swaddled. Based on review of documentation, the surveyor learned that the child was three months old. During interview, staff-in-charge stated that she was not aware that the child-care center could not use the swaddles and she would remove the swaddles as soon as possible from the classroom.

**Programming**

**Not In Compliance**

**530 - Infant Sleep Position**

**Not In Compliance**

**922 KAR 2:120. Section 6. Sleeping and Napping Requirements.**

**(1) An infant shall sleep or nap on the infant's back unless the infant's health professional signs a waiver that states the infant requires an alternate sleeping position.**

**Findings:**

General: Based on review of video footage at the child-care center for the week of 06/20/22 - 06/24/22, the surveyor observed a child to be placed in a swing multiple times throughout the week of 06/20/22 - 06/24/22 for varying lengths of time by a staff person in the Infant Classroom. The surveyor observed staff to swaddle the child and place the child in the swing. Through interview, the surveyor learned that the child would sleep while in the swing. Based on review of documentation, the surveyor learned that the child was three months old. The surveyor did not observe the child's file to contain a waiver signed by the child's health professional stating the child required an alternate sleeping position.

1070 - Bottle Feeding

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

(11) While bottle feeding a child, the:

(a) Child shall be held; and

(b) Bottle or beverage container shall not be:

- 1. Propped;
- 2. Left in the mouth of a sleeping child; or
- 3. Heated in a microwave.

Findings:

General: Based on review of video footage at the child-care center for the week of 06/20/22 - 06/24/22, the surveyor observed a child that was placed in a swing in the Infant Classroom and given a bottle by a staff person; therefore, the child was not placed in an appropriate feeding furnishing. Based on review of documentation, the surveyor learned that the child was five months old. Staff-in-charge stated that the staff person in the classroom was the mother of the child and she may have thought it was ok to place the child in the swing for the feeding because he was her child.

Signature of Provider/Representative

Title

Date