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Inspection Report

Provider Name: Lilly Pad Child Care	Provider Information	CLR No: L358252
Provider Address: 159 John's Lane, Shepherdsville, KY, 40165	Provider Type: LICENSED TYPE I	Capacity: 125
Owner(s): Lilly Pad Child Care, LLC		Director(s): Harlan, Sherry Elaine; Hovious, Paula

Inspection Type: Renewal Application	Inspection Information	Inspection No: 307382
Date Initiated: 05/14/2021 8:30 AM	Date Concluded: 05/14/2021 12:24 PM	
	No. of Children Present: 31	

Inspection Report	
Background Checks	Not In Compliance
20 - Out of state background checks	Not In Compliance
<p>922 KAR 2:280. Section 5. Checks of Other States.</p> <p>(1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall:</p> <p>(a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet:</p> <ol style="list-style-type: none"> 1. An in-state criminal records check by: <ol style="list-style-type: none"> a. Means of fingerprints for the state of residence; or b. Any means accepted by a state of prior residency; 2. A check of the state's sex offender registry or repository; and 3. A check of the state-based child abuse and neglect registry and database; and <p>(b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601.</p> <p>Findings:</p> <p>The employee file for a staff member who was hired on 8/28/19 failed to contain results of completed out of state background checks for the state of Pennsylvania. The file contained documentation verifying the individual lived in the state of Pennsylvania within the last five years. The staff member was not observed working alone with children.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
155 - Liability Insurance	Not In Compliance
<p>922 KAR 2:090. Section 6. License Issuance.</p> <p>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</p> <p>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</p> <p>Findings:</p> <p>General: Based on interview and review of documentation, verification of current liability insurance was not presented for review.</p>	

210 - 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 observation, interview and review of documentation, the licensee failed to protect the health, safety and comfort of each child in care in accordance with regulatory standards evidenced by the following:

1. Multiple staff members failed to wear the mandated facial covering in a manner that properly covered the nose and mouth;
2. A Peace Lily plant was in the windowsill located in the Ones classroom. The plant was accessible to children. Interview with a representative of Kentucky Poison Control Center confirmed the plant is toxic and creates a risk of harm;
3. The corner of a large area rug in the Twos room was curled upward, creating a tripping hazard;
4. There was a white substance on the faucets in the Older Fours room that was indicative of mold;
5. The carpeted covering on the wooden platform, located under the plastic house in the indoor gross motor room, was raveled and torn, exposing raised wood staples on the bare wood;
6. The employee file for an individual who was rehired on 1/18/2021 failed to contain the results of a Child Abuse/Neglect (CAN) check. The file also did not include verification that a CAN check had been requested for the referenced individual. The individual was the sole supervising staff member with seven (7) children, in the Twos room, for the duration of the inspection; and
8. The employee file for a staff member who was hired on 4/14/2021 failed to contain the results of a Criminal Records Check (CRC) and Child Abuse/Neglect (CAN) check. The file also did not contain evidence that the CAN check had been requested. The individual was the sole staff member with two (2) infants upon the surveyors' arrival in the infant room.

290 - Fire Marshal/Zoning Compliance

Not In Compliance

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

(2) A child-care center shall be in compliance with the State Fire Marshal and the local zoning laws.

Findings:

General: Based on interview and review of documentation, current compliance with the State Fire Marshal could not be verified. The Fire Marshal documentation presented for review was from 2018.

Director Requirements

Not In Compliance

340 - Staff Meeting

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (i) Conduct, manage, and document in writing recurring staff meetings;**

Findings:

General: Upon request, no documentation of staff meetings was presented for review.

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, no annual written performance evaluations were presented for review. In interview, the staff in charge acknowledged that the evaluations were not completed.

360 - Caregiver Alone

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (m) Assure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in 922 KAR 2:280;**

Findings:

General: Based on observation, interview and review of documentation, the director failed to assure that no staff member worked alone with children if the results of the required background checks had not been received. The employee file for an individual who was rehired on 01/18/2021 failed to contain the results of a Child Abuse/Neglect (CAN) check. The file also did not include verification that a CAN check had been requested for the referenced individual. The individual was the sole staff member in the Twos room with seven (7) children for the duration of the inspection. Additionally, the employee file for a staff member who was hired on 4/14/2021 failed to contain the results of a Criminal Records Check (CRC) and Child Abuse/Neglect (CAN) check. The file also did not contain evidence that the CAN check had been requested. The individual was the sole supervising staff member in the infant room with two (2) infants present upon the surveyors' arrival.

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: Upon request, no documentation was presented for review to verify that the file for a staff member who was hired on 5/10/2021 contained a high school diploma, GED, or qualifying documentation from a comparable educational entity.

Inspection Report

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: Upon request, no documentation of negative tuberculin results or a statement from a health professional verifying the individual was free of active tuberculosis was presented for review for two (2) staff members who were hired on 4/14/2021 and 12/19/2018.

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 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 1/2) 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 1/2) 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: Upon request, verification of one and one half (1 1/2) hours of Pediatric Abusive Head Trauma (PAHT) training was not presented for review for a staff member who was hired on 8/28/2019. Review of the Early Care and Education Training Records Information System (ECE-TRIS) failed to provide verification of completion of the PAHT training for the referenced employee.

Programming

In Compliance

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 Glade air freshener spray and a can of disinfectant was stored on a low shelf in the Preschool Room. Both cans of chemicals were accessible to children. Both had a warning on the labeled that stated 'Keep out of reach of children'.

530 - Guns/Ammunition Storage

Not In Compliance

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

- (9) In accordance with KRS 527.070(1), firearms and ammunition shall be stored separately in a locked area outside of the designated child care area.

Findings:

General: Per interview with the staff in charge, a gun and ammunition was stored together in a purse, which was under a desk in the office. The gun and ammunition was not stored separately in a locked area outside of the designated child care area.

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) ceiling tiles in the Older Fours room were stained and discolored in a manner that is indicative of water damage. Another tile in same room was split in two (2) pieces in the middle of the tile. The tile was sagging in the middle where it was split.

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, there was no toilet paper in one (1) of the two (2) toilet rooms shared by the Threes room and the Older Fours room. The toilet room located in the Preschool room did not appear as if it was cleaned and sanitized daily; there was an accumulation of a brown substance on the floor around the base of one (1) of the toilets.

Inspection Report

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, one (1) of two (2) toilets shared by the Ones room and the Twos room was heavily soiled in the bowl with a buildup of a dark substance around the upper inside rim.

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

725 - Administration Record

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

- (5) The child-care center shall keep a written record of the administration of medication, including:**
 - (a) Time of each dosage;**
 - (b) Date;**
 - (c) Amount;**
 - (d) Name of staff person giving the medication;**
 - (e) Name of the child; and**
 - (f) Name of the medication.**

Findings:

General: Interview with staff members in the Infant room revealed the administration of over the counter pain medication was documented on the daily forms and the forms were sent home; however, no documentation was maintained. Additionally, the administration of diaper cream was not documented and maintained. Therefore, no written record of medication administration was presented for review for medication that was administered to enrolled children.

Outdoor Play Area

Not In Compliance

750 - 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, the large outdoor playground was not free from foreseeable hazards. The hand rail on the ramp on the large wooden playground structure was not sturdy. It easily wobbled when touched.

755 - Protective Surface

Not In Compliance

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

- (21) A protective surface shall:**
 - (a) Be provided for outdoor play equipment used to:**
 - 1. Climb;**
 - 2. Swing; and**
 - 3. Slide; and**
 - (b) Have a fall zone equal to the height of the equipment.**

Findings:

General: Based on observation, there was no approved protective surface on either playground under and around the structures used for climbing and sliding. There were small mats at the base of the slides on the large playground; however, the mats do not satisfy the regulatory requirements for protective surface and they did not cover the entire fall zone, equal to the height of the equipment used for climbing, swinging or sliding.

Equipment

Not In Compliance

815 - Toys/Furniture

Not In Compliance

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

- (1) All toys and furniture contacted by a child shall be:**
 - (a) Kept clean and in good repair; and**
 - (b) Free of peeling, flaking, or chalking paint.**

Findings:

General: Based on observation, multiple child-sized chairs in the Twos room, Preschool room and Older Fours room were heavily soiled, evidenced by discoloration.

Inspection Report

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 foam, connecting floor covering tiles in the Ones room was noticeably soiled on the majority of the surface.

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: Review of ten (10) children's files revealed three (3) of the files failed to contain information identifying the parent/guardian's preferred hospital and one (1) file failed to contain documentation of the parent/guardian's consent for the center to seek emergency medical treatment in the parent/guardian's absence.

Written Documentation

Not In Compliance

1150 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

Findings:

General: Upon request, a current, written evacuation plan in the event of a fire, natural disaster or other threatening situation that may pose a threat to a child was not presented for review. The document that was presented for review was from 2019. Interview with the staff in charge confirmed that a current evacuation plan was not created and sent to the local emergency official.

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, the time of arrival and departure was not documented for each child who was listed on the attendance records that were presented for review.

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: Upon request, no written annual plan for child care professional development was presented for review. Interview with the staff in charge confirmed that no current professional development plans were created.

Inspection Report

Posted Documentation

Not In Compliance

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 review of documentation, the daily activities posted in the Twos room was not dated. The posted documented listed four (4) weeks of activity plans. Week one (1) listed "easter" as the plan. Therefore, the plan appeared to be for April instead of the current month (May).

Animals

In Compliance

Emergency Regulation

Not Applicable

Signature of Provider/Representative

Title

Date