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Inspection Report

Provider Name: Heavenly Rainbow Learning Center	Provider Information	CLR No: L358242
Provider Address: 808 North Main Street, Barbourville, KY, 40906	Provider Type: LICENSED TYPE II	Capacity: 12
Owner(s): Jackson, Angela Elizabeth		Director(s): Jackson, Angela Elizabeth

Inspection Type: Renewal Application	Inspection Information	Inspection No: 307144
Date Initiated: 08/09/2021 11:02 AM	Date Concluded: 08/16/2021 1:08 PM	
	No. of Children Present: 9	

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:

- Staff-to-child ratio; and
- Maximum group size.

Findings:

General: Based on observation, the surveyor found two (2) staff supervising nine (9) children on the playground. The surveyor observed one (1) staff member go inside the building to get drinks for the children leaving one (1) remaining staff to supervise nine (9) children for approximately three (3) minutes. During interview, staff reported the youngest child on the playground was one-year-old; therefore, the staff-to-child ratio was exceeded by three (3) children.

Inspection Report

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 observation, the surveyor found the following:

- 1. In the Big Kids Classroom, one (1) electrical outlet located underneath the air conditioning unit was missing one (1) electrical cover.
- 2. A shovel, two (2) brooms, and a concrete block were on the playground accessible to the children.

Therefore, the health, safety, and comfort of the children were compromised.

Director Requirements

In Compliance

Employee Records

Not In Compliance

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, the surveyor found the following:

- 1. A staff's (DOH: 8/1/2020) negative tuberculin result was no longer current as of 1/9/2021.
- 2. A staff's (DOH: 6/15/2013) negative tuberculin result was no longer current as of 3/15/2021.
- 3. A staff's (DOH: 1/25/2019) negative tuberculin result was no longer current as of 1/7/2021.

Therefore, the child-care center failed to show proof that the employees are free of active tuberculosis or provide a copy of a negative tuberculin result.

410 - CPR/First Aid Coverage

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:

- (a) Infant and child cardiopulmonary resuscitation; and**
- (b) Infant and child first aid.**

(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:

- (a) Adult cardiopulmonary resuscitation; and**
- (b) First aid.**

(5) Cardiopulmonary resuscitation (CPR) and first aid training shall be in addition to the fifteen (15) clock hours requirement in subsection (16) of this section.

Findings:

General: Based on interview, staff reported that she and two (2) additional staff members were certified in First Aid / CPR. When reviewing documentation, the surveyor found that the staff's First Aid / CPR certification expired on 4/30/2021; therefore, the child care center failed to ensure that at least one (1) person on duty and present with the children had cabinet – approved certification in CPR / First Aid.

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 and ECE – TRIS, the surveyor found the following:

1. A staff's (DOH: 8/1/2020) personnel file did not contain documentation to verify that the staff completed six (6) hours of cabinet-approved orientation training. During interview, staff stated that the employee completed the training; however, the staff lost the documentation after the fire occurred at the child-care center. Staff has been in contact with ECE – TRIS regarding an issue with the staff's information in ECE – TRIS; however, until the issue is resolved, the staff's information is not available in ECE – TRIS. Therefore, the child-care center failed to provide documentation verifying that the employee completed six (6) hours of cabinet-approved orientation within their first three (3) months of employment.
2. A staff's (DOH: 8/1/2020) personnel file did not contain documentation that the staff completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training. During interview, staff stated that the employee completed the training; however, the staff lost the documentation after the fire occurred at the child-care center. Staff has been in contact with ECE – TRIS regarding an issue with the staff's information in ECE – TRIS; however, until the issue is resolved, the staff's information is not available in ECE – TRIS. Therefore, the child-care center failed to provide documentation verifying that the employee completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training.
3. Three (3) staff (DOH: 5/6/2006, 6/15/2013, 5/6/2006) completed pediatric abusive head trauma training on 4/16/16. During interview, staff was not aware that the training needs to be obtained once every five (5) years; therefore, the child-care center failed to ensure that staff complete one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training once every five (5) years.

**Programming
Premises**

**In Compliance
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, the surveyor found bleach spray, bug spray, and Pure Bright Cleaner on the playground and accessible to the children.

Hygienic Practices

Not In Compliance

700 - 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, the surveyor found the following:

1. A staff member did not wash a child's hands after changing the child's diaper in the Little Kids Classroom.
2. Children from the Little Kids Classroom and the Big Kids Classroom did not wash their hands prior to eating lunch. During interview, staff stated that the staff forgot to have the children wash their hands as the surveyor's presence made them nervous; therefore, staff failed to wash the children's hands with liquid soap and warm water as required.

Inspection Report

705 - 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, a staff failed to wash her hands after changing a child's diaper in the Little Kids Classroom. During interview, staff stated that the staff forgot to wash her hands as the surveyor's presence her nervous.

First Aid/Medication	In Compliance
Outdoor Play Area	In Compliance
Equipment	In Compliance
Transportation	In Compliance
Kitchen Requirements	In Compliance
Food Service	In Compliance
Meal Planning/Center Provides Meals	In Compliance
Meal Planning/Center Does Not Provide Meals	In Compliance
Children's Records	Not In Compliance

1245 - 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, the surveyor found a child's (DOE: 8/30/2019) immunization certificate was no longer current as of 12/17/2019; therefore, the child-care center failed to maintain a current immunization certificate for the child. Staff interviewed stated that she would get the immunization certificate from the child's parent.

Written Documentation	Not In Compliance
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1285 - Earthquake/Tornado/Fire Drills

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

(i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

Findings:

General: Based on review of documentation, the surveyor found that 9/2/2020 was the last date that the center documented monthly fire drills and quarterly earthquake/tornado drills. During interview, staff reported she thinks the drills were conducted after 9/2/2020; however, staff could not locate the documentation of the drills during the surveyor's visit. Staff reported since the child care center reopened in July, no drills have been completed. Therefore, the child-care center failed to maintain a written record of practiced earthquake, tornado, and fire drills.

Posted Documentation	In Compliance
Animals	In Compliance

Signature of Provider/Representative

Title

Date