



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
Southern Branch
116 Commerce Ave
London, KY 40744

Adam Mather
INSPECTOR GENERAL

Phone: (606) 330-2030 Fax: (606) 330-2056
<https://chfs.ky.gov/agencies/os/oig>

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: 320655
Date Initiated: 03/17/2022 1:40 PM	Date Concluded: 03/17/2022 3:55 PM	
	No. of Children Present: 9	

Inspection Report	
Background Checks	In Compliance
Supervision	Not In Compliance
90 - Children Supervised	Not In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(3)(a) Each center shall maintain a child-care program that assures each child shall be:</p> <p>1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:</p> <p>a. Within scope of vision and range of voice; or</p> <p>b. For a school-age child, within scope of vision or range of voice;</p> <p>Findings:</p> <p>General: Based on observation, upon arriving at the child-care center, the surveyor found that a staff person was inside the Toddler Classroom and no children were present. The surveyor walked into the Infant Classroom and found three (3) children that were asleep in cribs and one (1) child placed inside a mamaroo that was located beside a half wall. The surveyor did not observe a staff person inside the Infant Classroom; therefore, the children were not within scope of vision. The Toddler Classroom and Infant Classroom were observed to be divided by a half wall. During interview, staff-in-charge stated the children ranged in age from approximately six-months-old to two-years-old. Staff-in-charge stated that she had to send staff home due to sickness and she had to open the door for the surveyor that is located in the Toddler Classroom.</p>	
225 - Licensee Responsibility	Not In Compliance
<p>922 KAR 2:090. Section 8. General.</p> <p>(1) A licensee shall:</p> <p>(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</p> <p>(b) Protect and assure the health, safety, and comfort of each child.</p> <p>Findings:</p> <p>General: Based on observation and review of documentation, the surveyor found a staff's (DOH: 08/01/20) file did not contain documentation of background checks submitted through the Kentucky National Background Check Service. Based on review of the Kentucky National Background Check Service, the staff member did not have a completed background check prior to 10/01/21. During interview, staff-in-charge stated that the staff person had submitted to fingerprints. Staff-in-charge provided a document to verify that the staff person submitted to fingerprints on 01/08/19. Staff-in-charge stated that she was unsure why the staff person was not showing on KARES and would contact KARES to resolve the issue. The surveyor observed the staff person to be supervising children alone on the playground. The staff's file contained a completed Child Abuse/Neglect Background Check dated 09/03/20 and a completed Criminal Records Background Check dated 06/05/20.</p>	

Inspection Report

Director Requirements

Not In Compliance

360 - 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, the surveyor found the following:

1. The following staff (DOH: 01/25/19 and 06/15/13) files contained an annual written performance evaluation dated 2020 only; therefore, the evaluation was not completed annually.
2. A staff's (DOH: 05/06/06) file contained an annual written performance evaluation dated May 2020; therefore, the evaluation was not completed annually.
3. A staff's (DOH: 08/01/20) file did not contain an annual written performance evaluation; therefore, the surveyor was not unable to determine that the evaluation was completed annually.

370 - 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 review of documentation, the surveyor found that a staff's (DOH: 08/01/20) file did not contain documentation of background checks submitted through the Kentucky National Background Check Service. Based on review of the Kentucky National Background Check Service, the staff member did not have a completed background check prior to 10/01/21. During interview, staff-in-charge stated that the staff person had submitted to fingerprints. Staff-in-charge provided a document to verify that the staff person submitted to fingerprints on 01/08/19. Staff-in-charge stated that she was unsure why the staff person was not showing on KARES and would contact KARES to resolve the issue. The surveyor observed the staff person to be supervising children alone on the playground. The staff's file contained a completed Child Abuse/Neglect Background Check dated 09/03/20 and a completed Criminal Records Background Check dated 06/05/20.

Employee Records

Not In Compliance

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. The following staff (DOH: 01/25/19, 06/15/13, 05/06/06) obtained zero (0) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21.
2. A staff (DOH: 08/01/20) obtained zero (0) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 08/01/20 – 08/01/21.
3. A staff (DOH: 05/06/06) obtained one (1) hour of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21.

During interview, staff-in-charge stated that the staff mentioned completed the required fifteen (15) hours of cabinet-approved early care and education training; however, the training may have not been uploaded to ECE-TRIS.

Programming

Not In Compliance

540 - Bedding/Toys in Crib

Not In Compliance

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

(3) Rest time shall occur in an adequate space according to the child's age as follows:

(a) For an infant:

- 3. No bedding other than a clean tight-fitted sheet; and**
- 4. No toys or other items except the infant's pacifier;**

Findings:

General: Based on observation, the surveyor found a loose blanket to be placed on a child that was asleep in a crib in the Infant Classroom. The surveyor observed what appeared to be a kick and play mat placed inside the crib and the child laying on top of the mat. Through interview with staff, the surveyor learned that the child was approximately six (6) months old.

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, the surveyor found a bottle of QT-TB, disinfectant spray, and hand sanitizing alcohol wipes placed on a small desk by the exit door in the Big Kids Classroom. The items mentioned stated "Keep Out of the Reach of Children" on the back labels and were observed to be accessible to the children. During interview, staff-in-charge stated that the items mentioned are usually stored on the wall shelf in the classroom where they are out of reach of the children.

585 - Premises Requirements

Not In Compliance

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

- (1) The premises shall be:**
 - (a) Suitable for the purpose intended;**
 - (b) Kept clean and in good repair;**

Findings:

General: Based on observation, the surveyor found a missing electrical outlet in the wall underneath the air conditioner unit in the Big Kids Classroom. The surveyor observed a hole in the wall where the electrical outlet would be and did not observe any wires. During interview, staff-in-charge stated that there were no live wires where the missing electrical outlet was located.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

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 of the playground, the surveyor found the following:

1. A loose garden hose hanging over the fence roll located at the back of the playground.
2. A loose garden hose placed on the ground beside the child-care center building and near a set of concrete steps on the playground.
3. A bottle of Wasp Hornet Killer placed on the ground beside a set of steps that stated "Keep Out of the Reach of Children" on the front of the bottle.

805 - Fence Construction

Not In Compliance

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

- (24) Fences shall be:**
 - (a) Constructed of safe material;**
 - (b) Stable; and**
 - (c) In good condition.**

Findings:

General: Based on observation, the surveyor found the following:

1. Tree limbs sticking through the fence roll located on the side of the playground; therefore, the fence was not in good condition.
2. A piece of white lattice used on the fence roll near a set of steps appeared broken at the bottom exposing a gap/hole in the fence.

Equipment

In Compliance

Transportation

In Compliance

Inspection Report

Kitchen Requirements

Not In Compliance

1040 - Refrigerator

Not In Compliance

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

- (4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:**
 - (a) Have an indicating thermometer or other appropriate temperature measuring device;**
 - (b) Be in a safe environment for preservation; and**
 - (c) Be forty (40) degrees Fahrenheit or below.**

Findings:

General: Based on observation, the surveyor found that there was not a thermometer in the mini refrigerator located in the Kitchen; therefore, the surveyor was unable to determine if the refrigerator was maintained at forty (40) degrees Fahrenheit or below.

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 that a child's (DOE: 05/14/18) file contained an immunization certificate that was no longer current as of 11/20/19.

Written Documentation

Not In Compliance

1280 - 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: Based on review of documentation, the surveyor found that the following staff (DOH: 01/25/19, 06/15/13, 08/01/20, 05/06/06, and 05/06/06) files contained a professional development plan dated 2020 only; therefore, the plans were not completed annually.

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 the following:

1. No documentation of fire drills conducted during the months of January, February, March, April, May, June, July, October, November, December 2021 and January, February 2022. During interview, staff-in-charge stated that the fire drills were completed; however, she was unable to locate the documentation.
2. No documentation of earthquake and tornado drills conducted during the first, second, and fourth quarter of 2021. During interview, staff-in-charge stated that the earthquake and tornado drills were conducted; however, she was unable to locate the documentation.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date