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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: First Choice Child Care-Home	Provider Information	CLR No: L358553
Provider Address: 144 Madonna Drive, Nicholasville, KY, 40356	Provider Type: LICENSED TYPE II	Capacity: 12
Owner(s): Thomas, Philnita Ann		Director(s): Thomas, Philnita Ann

Inspection Type: Renewal Application	Inspection Information	Inspection No: 307639
Date Initiated: 07/15/2021 8:57 AM	Date Concluded: 07/15/2021 10:16 AM	
	No. of Children Present: 7	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
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 observation, the following was found: 1.) In the main play space, there were three (3) uncovered electrical outlets. 2.) In the entrance area, there was an unlocked storage closet which contained a mop, accessible to the children. This is not an appropriate method of storage and promotes the spread of germs if the children come into contact with the mop. 3.) In the bathroom, there was a broom being stored within reach of the children. This is not a proper method of storage and promotes the spread of germs. In addition, the toilet paper in the bathroom was located on top of the toilet paper holder, which is not appropriate or sanitary.	
Director Requirements	In Compliance

395 - Personnel File

Not In Compliance

922 KAR 2:090. Section 9. Records.**(1) A child-care center shall maintain:****(e) A current personnel file for each child-care center staff person to include:**

- 1. Name, address, date of birth, and date of employment;**
- 2. Proof of educational qualifications;**
- 3. Record of annual performance evaluation;**
- 4. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and**
- 5. The results of background checks conducted in accordance with 922 KAR 2:280;**

Findings:

General: Based on observation, the following was found:

1.) The facility only had one (1) staff file at the facility during the time of inspection, and this staff file only contained the staff person's education documentation. Due to this, the facility is not properly maintaining their staff records. Background checks were not presented, along with any other required documentation. The surveyor was able to look in the KARES system and verify that the proper background checks were completed.

2.) It was found that none of the staff members at the facility had annual performance evaluations on file at the facility.

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, it was found that two (2) of the three (3) employees at the facility did not have proof of education on file at the facility. The dates of hire for these staff are: 11/17/2005 and 11/18/2019.

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, it was found that none of the employees had evidence of a negative TB screening on file at the facility. In addition, it was found that the provider's husband who lives in the home did not have a negative TB screening on file at the facility.

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, the following was found:

1.) None of the three (3) staff members completed the required 15 hours of cabinet approved training from June 30, 2020 to July 1, 2021. The dates of hire for these staff members are: 11/17/2005, 11/05/2007, and 11/18/2019.

2.) In addition, one (1) staff member has not completed the required orientation I & II training or Pediatric Abusive Head Trauma Training. This staff member was hired on 11/18/2019. She has been employed for longer than a year; therefore both of these trainings should have been completed. A review of ECE-TRIS confirmed these findings.

Inspection Report**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 and review of documentation, it was found that the lesson plan posted at the facility was dated from June of 2021; therefore, it is no longer current.

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, it was found that the door leading into the provider's garage was unlocked during the time of inspection. There were numerous cleaners and drinking alcohol in this garage. These items were accessible to the children in care. In addition, it was found that in the bathroom there was hand sanitizer accessible. This hand sanitizer was located on the soap tray near the sink.

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, it was found that one (1) of the storage closet doors in the entrance area contained a vent at the bottom of the door. This vent was damaged and looked caved in.

605 - Building Requirements**Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(5) The building shall be constructed to ensure the:**

- (a) Building is:**
 - 1. Dry;**
 - 2. Ventilated; and**
 - 3. Well lit, including clean light fixtures that are:**
 - a. In good repair in all areas; and**
 - b. Shielded or have shatter-proof bulbs installed; and**
- (b) Following are protected:**
 - 1. Windows;**
 - 2. Doors;**
 - 3. Stoves;**
 - 4. Heaters;**
 - 5. Furnaces;**
 - 6. Pipes; and**
 - 7. Stairs.**

Findings:

General: Based on observation, it was found that there were three (3) lights over the bathroom sink. All of these lights were not covered and the light bulb was exposed. It could not be determined if these light bulbs were shatter proof. In addition, the light bulb in the ceiling was also not protected.

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, the following was found:

- 1.) There were numerous black stains on the carpet throughout the facility. In addition, there was also chipped/missing/peeling paint on the walls throughout the classroom areas.
- 2.) Upon entering the facility, there was a wall that contained numerous nail holes.
- 3.) The bathroom door was missing a large area of trim/door frame.
- 4.) In the bathroom, there were areas of missing/chipped paint on the walls. In addition, on the wall next to the shower in the bathroom, there was an area where the drywall was missing and it left the metal framing exposed from underneath. Also, in the bathroom there were water stains on the ceiling; there was one area on the ceiling where the paint had come off the ceiling due to the water damage. Lastly, behind the toilet there was possible water damage, which resulted in the paint missing from the wall and paint peeling away.
- 5.) In the front entrance of the facility, the walls were very dirty and needed to be cleaned.
- 6.) There were areas of cracked/peeling paint by the garage door. There was also a missing floor tile by this garage door.
- 7.) In the main entrance area there is a closet where the door frame around the door had a gap and was coming away from the wall. Due to this, there were staples that were sticking out in this gap. The staples were not directly exposed to where they could injure a child; however, if a child were to stick their hands in the gap this could pose a safety risk.

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

760 - First Aid Supplies

Not In Compliance

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

(1) First aid supplies shall:

- (a) Be available to provide prompt and proper first aid treatment;**
- (b) Be stored out of reach of a child;**
- (c) Be periodically inventoried to ensure the supplies have not expired;**
- (d) If reusable, be:**
 - 1. Sanitized; and**
 - 2. Maintained in a sanitary manner; and**
- (e) Include:**
 - 1. Liquid soap;**
 - 2. Adhesive bandages;**
 - 3. Sterile gauze;**
 - 4. Medical tape;**
 - 5. Scissors;**
 - 6. A thermometer;**
 - 7. Flashlight;**
 - 8. Cold pack;**
 - 9. First aid book;**
 - 10. Disposable gloves; and**
 - 11. A cardiopulmonary resuscitation mouthpiece protector.**

Findings:

General: Based on observation, it was found that the flashlight in the first aid was not in working order. In addition, there were also no gloves in the first aid kit.

Outdoor Play Area

Not In Compliance

790 - Playground Clean

Not In Compliance

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

(20) An outdoor play area shall be:

- (c) Free from:**
 - 1. Litter;**
 - 2. Glass;**
 - 3. Rubbish; and**
 - 4. Flammable materials;**

Findings:

General: Based on observation, it was found that the playground had trash on it. This was especially present along the fence line of the playground. In addition, it was found that the playground had weeds growing up through the mulch and dirt in certain areas.

Inspection Report

800 - 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 an area on the playground where the weed guard was exposed. This created a tripping hazard to the children in care. In addition, the mulch on the playground was very sparse in some areas, which did not meet the requirement for having adequate protective surfacing.

Equipment

Not In Compliance

855 - Individual Bedding Storage

Not In Compliance

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

(9) Individual bedding shall be stored in a sanitary manner.

Findings:

General: Based on observation, it was found that the children's nap mats were being stored in the shower stall located in the bathroom. The nap mats were touching and had the sheets on them while being stored. This is not sanitary and promotes the spread of germs from one nap mat to the next.

Transportation

Not Applicable

Kitchen Requirements

In Compliance

Food Service

In Compliance

Meal Planning/Center Provides Meals

Not In Compliance

1220 - Menu

Not In Compliance

922 KAR 2:120. Section 10. Meal Planning Requirements for a Center that Provides Meals.

(9) A weekly menu shall be:

- (a) Prepared;
- (b) Dated;
- (c) Posted in advance in a conspicuous place;
- (d) Kept on file for thirty (30) days; and
- (e) Amended in writing with any substitutions on the day the meal is served.

Findings:

General: Based on observation, it was found that the menu posted at the facility was not current; therefore, it could not be determined what the children would be served at meal times.

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 following was found:

- 1.) Three (3) children's files did not contain an immunization certificate.
- 2.) Three (3) children's files did contain an immunization certificate; however, these were expired.

Inspection Report

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, it was found that one (1) child's file did not list physician contact information.

Written Documentation

Not In Compliance

1260 - 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: Based on review of documentation, it was found that there was no evidence that the facility's Emergency Preparedness Plan had been updated or submitted to the proper authority for review.

1265 - Policies and Procedures

Not In Compliance

922 KAR 2:090. Section 8. General.

(4) Program policies and procedures shall:

(a) Be in writing; and

(b) Include:

1. Staff policies;
2. Job descriptions;
3. An organization chart;
4. Chain of command; and
5. Other procedures necessary to ensure implementation of:
 - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;
 - b. 922 KAR 2:120, Child-care center health and safety standards;
 - c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and
 - d. This administrative regulation.

Findings:

General: Based on review of documentation, it was found that there was no staff meeting documentation available for review at the time of inspection.

1270 - 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 observation, it was found that only three (3) children were signed in; however, there were seven (7) children present at the facility.

1275 - Staff Schedule

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (d) A written schedule of staff working hours;

Findings:

General: Based on review of documentation, it was found that there was no staff schedule available for review during the time of the inspection.

Inspection Report

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, it was found that none of the employees at the facility had evidence of an annual professional development plan on file at the facility.

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, it was found that none of the emergency drills listed the children who participated. They only listed the teachers who were present during the drill.

Posted Documentation

Not In Compliance

1310 - Posting Requirements

Not In Compliance

922 KAR 2:090. Section 8. General.

(6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:

(a) The provider's preliminary or regular license;

(b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;

(c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;

(d) Information on the Kentucky Consumer Product Safety Program and the program's Web site as specified in KRS 199.897;

(e) A description of services provided by the child-care center, including:

1. Current rates for child care; and

2. Each service charged separately and in addition to the basic rate for child care;

(f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and

(g) Daily planned program.

Findings:

General: Based on review of documentation, it was found that the following items were not posted in conspicuous location: license, child care rates, ratios, the facility's emergency plan/diagram, parents rights, and the Kentucky Consumer Product Safety information. It should be noted that this was cited in the 2020 renewal inspection as well.

Animals

In Compliance

Signature of Provider/Representative

Title

Date