



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
Western Branch
901 B South Main Street
Hopkinsville, KY 42240
Phone: (270) 889-6052 Fax: (270) 889-6089
<https://chfs.ky.gov/agencies/os/oig>

Adam Mather
INSPECTOR GENERAL

Inspection Report

| | | |
|---|---------------------------------------|--|
| Provider Name: YMCA Kids Center | Provider Information | CLR No: L354344 |
| Provider Address: 150 Ymca Drive, Madisonville, KY, 42431 | Provider Type: LICENSED TYPE I | Capacity: 170 |
| Owner(s): Hopkins County Family Young Men's Christian Association, Inc | | Director(s): Fincham, Kelly Ann |

| | | |
|--|---|------------------------------|
| Inspection Type: Investigation | Inspection Information | Inspection No: 304439 |
| Date Initiated: 08/25/2020 12:25 PM | Date Concluded: 08/25/2020 3:20 PM | |
| | No. of Children Present: | |

| Inspection Report | |
|---|--------------------------|
| Background Checks | Not In Compliance |
| 5 - Background check/left alone/dismissed/relocated | Not In Compliance |
| <p>922 KAR 2:280. Section 3. Implementation and Enforcement.</p> <p>(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.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(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</p> <p>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p> <p>Findings:</p> <p>General: Based on interview and review of documentation, three (3) caregivers hired 06/16/2020, two (2) caregivers hired 06/08/2020, a caregiver hired 08/24/2020, a caregiver hired 08/21/2020, a caregiver hired 07/01/2020, a caregiver hired 05/27/2020, a caregiver hired 05/18/2020, and a caregiver hired 03/07/2020, did not have a background check in the National Background Check Portal (NBCP).</p> | |
| 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 will 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 interview and review of documentation, three (3) caregivers supervised five (5) to ten (10) school age children alone for approximately four (4) hours a day, three (3) days a week beginning 06/15/2020. In addition, three (3) caregivers supervised up to ten (10) school age children alone for five (5) hours a day, five (5) days a week. Each caregiver was under the age of eighteen and was not under direct supervision of a qualified caregiver, therefore, adequate supervision was not provided.</p> | |

| Inspection Report | |
|--|--------------------------|
| Staffing Requirements | Not In Compliance |
| 120 - Adequate Adults/Qualified Staff | Not In Compliance |
| 922 KAR 2:090. Section 11. Staff Requirements. (10) The minimum number of adult workers in a child-care center shall be sufficient to ensure that: (a) Minimum staff-to-child ratios in accordance with 922 KAR 2:120 are followed; (b) Each staff person under eighteen (18) years of age and each student trainee are under the direct supervision of a qualified staff person who meets the requirements of this section; and (c) Unless providing care with a qualified staff person, a person under the age of eighteen (18) shall not be counted as staff for the staff-to-child ratio. | |
| Findings: General: Based on interview and review of documentation, three (3) caregivers supervised five (5) to ten (10) school age children alone for approximately four (4) hours a day, three (3) days a week beginning 06/15/2020. In addition, three (3) caregivers supervised up to ten (10) school age children alone for five (5) hours a day, five (5) days a week. Each caregiver was under the age of eighteen and was not under direct supervision of a qualified caregiver, therefore, staff/child ratios were not maintained. | |
| General Administration | Not In Compliance |
| 260 - Change of Director | Not In Compliance |
| 922 KAR 2:090. Section 12. Reports. (3) A licensee shall report to the cabinet within one (1) week: (a) Any resignation, termination, or change of director; and (b) The name of the acting director who satisfies the requirements of Section 10 of this administrative regulation. | |
| Findings: General: Based on interview, the director's employment ended on 08/18/20, and the licensee did not notify the cabinet within a week. | |
| Director Requirements | Not In Compliance |
| 360 - Caregiver Alone | Not In Compliance |
| 922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (n) 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 interview and review of documentation, two (2) caregivers hired 06/16/2020, and 07/01/2020, were left alone and supervised five (5) to ten (10) school age children for approximately four (4) hours a day, three (3) days a week beginning 06/15/2020. A caregiver hired 03/07/2020, a caregiver 05/18/19, and a caregiver 06/08/2020, were left alone and supervised up to ten (10) school age children for five (5) hours a day, five (5) days a week. In addition, a caregiver hired 08/24/2020, a caregiver hired 08/21/20, a caregiver hired 06/16/2020, a caregiver hired 06/08/2020 and a caregiver hired 05/27/2020, were left alone and supervised up to ten (10) preschool to school age children for approximately four (4) hours a day, three (3) to five (5) days a week. Processed and approved background checks were not on file prior to the caregivers being left alone with children. | |
| Emergency Regulation | Not In Compliance |
| 1250 - Emergency Regulation | Not In Compliance |
| 922 KAR 2:400E. Emergency Regulation. Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:400E, to prevent the spread of COVID-19. | |
| Findings: General: Based on interview and review of documentation, the center failed to assure new staff shall undergo name-based background checks in accordance with 922 KAR 2:280 and shall not be left alone with children until fingerprint-based background checks are able to conducted, in accordance with 922 KAR 2:400E Section 9(5). Two (2) caregivers hired 06/16/2020, and 07/01/2020, were left alone and supervised five (5) to ten (10) school age children for approximately four (4) hours a day, three (3) days a week beginning 06/15/2020. A caregiver hired 03/07/2020, a caregiver 05/18/19, and a caregiver 06/08/2020, were left alone and supervised up to ten (10) school age children for five (5) hours a day, five (5) days a week. In addition, a caregiver hired 08/24/2020, a caregiver hired 08/21/20, a caregiver hired 06/16/2020, a caregiver hired 06/08/2020 and a caregiver hired 05/27/2020, were left alone and supervised up to ten (10) preschool to school age children for approximately four (4) hours a day, three (3) to five (5) days a week. Processed and approved background checks were not on file prior to the caregivers being left alone with children. | |

Signature of Provider/Representative

Title

Date