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Inspection Report

Provider Name: YMCA Kids Center	Provider Information	License No: L354344
Provider Address: 150 Ymca Drive, Madisonville, KY, 42431	Provider Type: LICENSED TYPE I	Capacity: 80
Owner(s): HOPKINS COUNTY FAMILY YMCA FOUNDATION, INC		Director(s): Wallace, Edward L.

Inspection Type: Investigation	Inspection Information	Inspection No: 52220
Visit Start Date: 09/17/2013 1:45 PM	Visit End Date: 09/17/2013 3:00 PM	
	No. of Children Present: 20	

Inspection Report

Supervision

5 - Children Supervised

Not In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(3)(a) Each center shall maintain a child-care program that assures each child will be:

1. Provided with adequate supervision at all times by a qualified staff person who:
 - a. Ensures the child is within scope of vision and range of voice; or
 - b. For a school-age child, within scope of vision or range of voice;

Findings:

General: Based on observation, a three year old child was in the restroom without supervision at 1:45 pm on 09/17/13.

Staffing Requirements

40 - Ratios and Group Size

In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:

Age of Children Ratio Maximum Group Size*

Infant

1 staff for 5 children 10

Toddler

1 staff for 6 children 12

Preschool-age 2 to 3 years

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) 30

1 staff for 20 children

(full day of care) 30

*Maximum Group Size shall be applicable only to Type I child-care centers.

Inspection Report

General Administration

170 - Notification of Changes

Not In Compliance

922 KAR 2:110. Reports.

(4) Written notification of the following shall be made to the cabinet to allow for approval before implementation:

- (a) Change of ownership;
- (b) Change of location;
- (c) Increase in capacity;
- (d) Change in hours of operation;
- (e) Change of services in the following categories:
 - 1. Infant;
 - 2. Toddler;
 - 3. Preschool-age;
 - 4. School-age;
 - 5. Nontraditional hours; or
 - 6. Transportation; or
- (f) Addition to the square footage a child-care center's premises.

Findings:

General: Based on interviews, the center failed to notify the Cabinet and receive prior approval before adding a basement and screened-in porch to the center's licensed space.

Director Requirements

265 - Health, Safety, Comfort

Not In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

(1) Effective with the adoption of this administrative regulation, a director shall:

- (l) Provide for the health, safety, and comfort of each child;

Findings:

General: Based on interview, a child received a small red mark on the upper thigh near the groin area as a result of being unintentionally pinched by a staff member while the child sat on the staff member's lap watching a movie on 08/28/13.

Employee Records

300 - Background checks/left alone

Not In Compliance

922 KAR 2:090. Section 6. License Issuance.

(4) A director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child shall:

- (a) Submit to background checks described in paragraph (b) of this subsection;
- (b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:
 - 1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;
 - 2. Criminal records check required by KRS 199.896(19);
 - 3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and
- 4. An address check of the Sex Offender Registry; and
- (c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee.

Findings:

General: Based on review of documentation and interview, a staff (DOH: 08/07/13) did not have proof background checks had been submitted timely.

305 - Background checks/discharged

In Compliance

922 KAR 2:090. Section 6. License Issuance.

(5) Upon completion of background checks described in subsection (4)(b) of this section, a licensee shall discharge immediately a:

- (a) Director, employee, volunteer, or any person:
 - 1. Whose name is listed on the central registry established by 922 KAR 1:470;
 - 2. Who has been convicted of, or has entered an Alford plea or a plea of guilty to, a crime in accordance with KRS 17.165;
 - 3. Who is confirmed by an address check of the Sex Offender Registry and supporting document as a registered sex offender; and
 - 4. Who has been convicted of, or has entered an Alford plea or a plea of guilty to, a drug-related felony, and five (5) years has not elapsed since the person was fully discharged from imprisonment, probation, or parole.

310 - Personnel File

In Compliance

922 KAR 2:110 Section 3. 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. Written record of training participation to include:
 - a. The training source;
 - b. Location;
 - c. Date; and
 - d. Number of clock hours completed;
 - 5. Every two (2) years, a:
 - a. Statement from a health professional that the individual is free of active tuberculosis; or
 - b. Copy of negative tuberculin results; and
 - 6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:
 - a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;
 - b. Criminal records check required by KRS 199.896(19);
 - c. Criminal records check from any previous state of residence completed once if:
 - (i) The individual resided outside the state of Kentucky in the last five (5) years; and
 - (ii) No criminal records check has been completed for the individual's previous state of residence; and
 - d. An address check of the Sex Offender Registry;

315 - Educational Requirements

In Compliance

922 KAR 2:110. Section 5. 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;

320 - TB Verification

In Compliance

922 KAR 2:110. Section 5. 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.

340 - Training

In Compliance

922 KAR 2:110. Section 5. Staff Requirements.

- (14) 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 within the first three (3) months of employment;
 - (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, including one and one-half (1 ½) hours of pediatric abusive head trauma training; and
 - (c) Fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment, including one and one-half (1 ½) hours of pediatric abusive head trauma training completed once every five (5) years.

Programming

385 - Discipline

In Compliance

922 KAR 2:120. Section 2. Child Care Services.

- (10) A child shall not be subjected to:
- (a) Corporal physical discipline pursuant to KRS 199.896(18);
 - (b) Loud, profane, threatening, frightening, or abusive language; or
 - (c) Discipline that is associated with:
 - 1. Rest;
 - 2. Toileting; or
 - 3. Food.

Inspection Report**Hygienic Practices****595 - 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 their developmental skills; and**
- (b) 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 wiping or blowing nose;**
 - 6. After touching items soiled with body fluids or wastes; and**
 - 7. After outdoor or indoor play time.**

Findings:

General: Based on observation, staff failed to assist a three year old child with personal care and cleanliness. A staff member sent a three year old child to the restroom to change her own soiled pull-up training pants. The child had difficulty and requested assistance.

Children's Records**1070 - Immunization****In Compliance****922 KAR 2:110. Section 3. 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;**

1075 - Enrollment Information**In Compliance****922 KAR 2:110. Section 3. 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 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 situation 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;**

Signature of
Provider/Representative

Title

Date