



**CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF INSPECTOR GENERAL**

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**Eric C. Friedlander**  
Secretary

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Inspector General

**Inspection Report**

|   |                                       |   |
|---|---------------------------------------|---|
| <b>Provider Name:</b> Over The Rainbow Childcare                      | <b>Provider Information</b>           | <b>CLR No:</b> L354450  |
| <b>Provider Address:</b> 411 West Fourth Street, Owensboro, KY, 42301 | <b>Provider Type:</b> LICENSED TYPE I | <b>Capacity:</b> 32   |
| <b>Owner(s):</b> Nitetime, Inc.                                       |                                       | <b>Director(s):</b> Keller, Carol Marie; Keller, Kenneth Earl |

|   |  |                              |
|---|--|------------------------------|
| <b>Inspection Type:</b> Renewal Application | <b>Inspection Information</b>              | <b>Inspection No:</b> 278100 |
| <b>Date Initiated:</b> 03/12/2019 9:10 AM   | <b>Date Concluded:</b> 03/12/2019 11:30 AM |                              |
|   | <b>No. of Children Present:</b> 16         |                              |

| Inspection Report             |                          |
|-------------------------------|--------------------------|
| <b>Background Checks</b>      | <b>In Compliance</b>     |
| <b>Supervision</b>            | <b>In Compliance</b>     |
| <b>Staffing Requirements</b>  | <b>In Compliance</b>     |
| <b>General Administration</b> | <b>In Compliance</b>     |
| <b>Director Requirements</b>  | <b>Not In Compliance</b> |
| <b>345 - Staff Evaluation</b> | <b>Not In Compliance</b> |

**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, a staff, hired on 10/28/17, did not have an annual written performance evaluation on file. A staff, hired on 11/28/16, had an annual written performance evaluation on file that was dated 08/03/17.

|                              |                          |
|------------------------------|--------------------------|
| <b>Employee Records</b>      | <b>Not In Compliance</b> |
| <b>395 - TB Verification</b> | <b>Not In Compliance</b> |

**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, a staff, hired on 04/05/18, had TB documentation on file that was dated 02/04/17.

**Inspection Report**

**410 - 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 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 cabinet-approved 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 cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

**Findings:**

General: Based on review of documentation, a staff, hired on 07/15/14, completed twelve (12) hours of cabinet approved training during a subsequent year of employment. A staff, hired on 10/28/17, did not complete one and a half (1 ½) hours of cabinet approved pediatric abusive head trauma training.

**Programming**

**In Compliance**

**Premises**

**Not In Compliance**

**625 - Infant/Toddler Indoor Space**

**Not In Compliance**

**922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.**  
**(1) Inside areas for infants and toddlers under twenty-four (24) months of age shall:**  
**(a) Be separate from an area used by an older child;**  
**(b) Not be an exit or entrance; and**  
**(c) Have adequate crawling space for an infant or toddler away from general traffic patterns of the center.**

**Findings:**

General: Based on observation, the infants' room was used for a general traffic pattern for parents to drop off children in the toddlers' room and for the preschool children to exit and enter the eating area.

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**Not In Compliance**

**730 - Medication**

**Not In Compliance**

**922 KAR 2:120. Section 7. First Aid and Medicine.**  
**(6) Medication, including refrigerated medication, shall be:**  
**(a) Stored in a separate and locked place, out of the reach of a child unless the medication is:**  
**1. A first aid supply and is maintained in accordance with subsection (1) of this section;**  
**2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;**  
**3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including:**  
**a. An epinephrine auto-injector shall be inaccessible to a child;**  
**b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;**  
**c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and**  
**d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12(1)(b) if an epinephrine auto-injector is administered to a child; or**  
**4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;**  
**(b) Kept in the original bottle; and**  
**(c) Properly labeled.**  
**(7) Medication shall not be given to a child if the medication's expiration date has passed.**

**Findings:**

General: Based on observation, a box of Zantac 75 acid reducer tablets was not labeled to indicate to whom it belonged in the infants' room.

**Outdoor Play Area**

**In Compliance**

**Equipment**

**In Compliance**

**Transportation**

**Not Applicable**

**Food Service/Food Program**

**Not Applicable**

**Food Service**

**In Compliance**

Inspection Report

Children's Records

Not In Compliance

1140 - 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 observation and review of documentation, a child, first date of attendance on 11/02/15, did not have information on file for staff to contact the child's physician.

Written Documentation

Not In Compliance

1150 - 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, the center did not have a written plan for evacuation, which included an evacuation route to the designated relocation site, in accordance with KRS 199.895.

1170 - 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, a staff, hired on 06/01/91, and a staff, hired on 10/28/17 did not have an annual written professional development plan on file. A staff, hired on 06/01/91, had a written professional development plan on file that was dated 2014. A staff, hired on 11/07/16, had a written professional development plan on file that was dated 06/16/17. A staff, hired on 11/28/16, had a written professional development plan on file that was dated 03/14/17.

Posted Documentation

Not In Compliance

1200 - 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 Website 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 observation and review of documentation, each of the center's services and rates were not posted.

Animals

In Compliance

Signature of  
Provider/Representative

Title

Date