



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

Andy Beshear
Governor

Melissa A. Moore, Director
Division of Regulated Child Care
Northern Branch
908 W. Broadway, 10-W
Louisville, KY 40203
Phone: (502) 595-5781 Fax: (502) 595-5773
<https://chfs.ky.gov/agencies/os/oig>

Eric C. Friedlander
Secretary

Adam Mather
Inspector General

Inspection Report

Provider Name: TLC Creative Learning Center	Provider Information	CLR No: L359177
Provider Address: 964 Highway 44 West, Shepherdsville, KY, 40165	Provider Type: LICENSED TYPE I	Capacity: 51
Owner(s): SHEPHERDSVILLE TRINITY ASSEMBLY OF GOD, INC.		Director(s): Fleener, Sue Ellen

Inspection Type: Investigation	Inspection Information	Inspection No: 218382
Date Initiated: 01/30/2017 11:06 AM	Date Concluded: 01/30/2017 12:30 PM	
	No. of Children Present: 14	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
Director Requirements	Discussed
Employee Records	Not In Compliance
300 - Background checks/left alone	Not In Compliance

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

(5) An individual described in subsection (4) of this section 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 Observation, interview and review of documentation, the child care center failed to maintain employee records in accordance with regulatory requirements. Observation of the infant room revealed a staff member with the hire date 1/2/17 to be the sole care giver for five (5) children. Interview with the staff member with the hire date 1/2/17 revealed there were five (5) children in her care with no other staff members in the room at the time of the observation. Review of presented staff files revealed there was not a criminal record check on file for the staff member with the hire date 1/2/17. Continued review of presented staff files revealed there was not a criminal record check on file for two (2) staff members with the hire dates; 12/12/16 and 12/26/16. Interview with the staff in charge revealed the two (2) staff members with the hire dates; 12/12/16 and 12/26/16 had worked alone with children. Continued interview with the staff in charge revealed she believed she may have one (1) of the criminal record checks; however, she was unable to locate the background checks at the time of the survey. Interview with multiple sources revealed a church staff member acted as a child care center employee and was left alone with children. Review of presented staff files revealed there was not a staff file for the church staff member. Interview with the staff in charge revealed the church staff member did not have a staff file at the child care center. Continued interview with the staff in charge revealed the church staff member did not have a criminal record check on file. Further interview with the staff in charge revealed the church staff member did not have a child abuse and neglect check on file.

310 - Personnel File

Not 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;

Findings:

General: Based on Observation and review of documentation, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request from the surveyor for the staff file for the church staff member who acted as a child care center staff, the staff in charge revealed there was not file for the aforementioned staff member.

315 - Educational Requirements

Not 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;

Findings:

General: Based on Review of Documentation, the child care center failed to maintain employee records in accordance with regulatory requirements. Review of presented staff files revealed a staff member with the hire date 12/12/16 and the church staff member acting as a child care center staff member did not have a high school diploma, GED or Commonwealth Child Care Credential on file at the time of the survey.

320 - TB Verification

Not 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.

Findings:

General: Based on Review of Documentation, the child care center failed to maintain employee records in accordance with regulatory requirements. Review of presented staff files revealed a staff member with the hire date 12/19/16 and the church staff member acting as a child care center staff member did not have written documentation from a health care professional to verify that the individual was free from active TB at the time of the survey.

325 - CPR/First Aid Coverage

Not In Compliance

922 KAR 2:110. Section 5. Staff Requirements.
(3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:
(a) Infant and child cardiopulmonary resuscitation; and
(b) Infant and child first aid.
(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:
(a) Adult cardiopulmonary resuscitation; and
(b) First aid.

Findings:

General: Based on Review of Documentation and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Review of all presented staff files revealed no proof of Cardiopulmonary resuscitation and first aid certification. Review of the presented staff file for a staff member with the hire date 11/11/16 revealed a Cardiopulmonary resuscitation and first aid certification from an agency that is not a cabinet-approved training agency for Cardiopulmonary resuscitation and first aid certification. Therefore, there are no staff members certified in Cardiopulmonary resuscitation and first aid certification at the child care center.

Inspection Report

Hygienic Practices

Not In Compliance

625 - Diaper Changing Area/Surface

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

(10) When a child is diapered, the child shall:

(b) Be placed on a surface that is:

- 1. Clean;**
- 2. Padded;**
- 3. Free of holes, rips, tears, or other damage;**
- 4. Nonabsorbent;**
- 5. Easily cleaned; and**
- 6. Free of any items not used for diaper changing.**

Findings:

General: Based on Observation, the child care center failed to comply with hygienic practices in accordance with regulatory requirements. Observation of the one-and-two-year-old room diaper changing area revealed torn diaper changing pad exposing the inside absorbent material.

Signature of
Provider/Representative

Title

Date