



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

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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): Boylen, Cheryl Lynne

Inspection Type: Renewal Application	Inspection Information	Inspection No: 278111
Date Initiated: 01/28/2019 9:55 AM	Date Concluded: 01/28/2019 1:03 PM	
	No. of Children Present: 14	

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 review of documentation, observation, and interview, the child care center failed to maintain the background checks in accordance with regulatory requirements. A review of a staff files and a KARES report revealed a staff member with a hire date of 09/11/18 failed to have written documentation verifying eligibility. Observation revealed the staff member working alone in the preschool room with ten (10) children ranging in age from three (3) years to five (5) years. Interview with the staff member revealed she always works alone unless there are more than twelve (12) children in attendance.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
180 - Plan of Correction/15 days	Not In Compliance
<p>922 KAR 2:090. Section 14. Statement of Deficiency and Corrective Action Plans.</p> <p>(2) Except for a violation posing an immediate threat as handled in accordance with KRS 199.896(5)(c), a child-care center shall submit a written corrective action plan to the cabinet or its designee within fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation.</p> <p>Findings:</p> <p>A PLAN OF CORRECTION WAS DUE ON 03/20/2019 AND AS OF 04/27/2019, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.</p>	

Inspection Report

Director Requirements

Not In Compliance

350 - Health, Safety, Comfort

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (l) Assure the health, safety, and comfort of each child;**

Findings:

General: Based on observation, the child care center director failed to assure compliance with regulatory requirements. An electrical outlet failed to be covered in the school age room. Additionally, a staff member referred to a preschool aged child as "he's crazy!" within hearing distance of the child.

Employee Records

Not In Compliance

395 - 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, and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. A review of staff files failed to reveal negative results from a tuberculin test, or a written statement from a health care professional stating the individuals were free of tuberculosis for staff members with hire dates of 11/3/16 and 12/12/16. Interview with the staff in charge revealed the documentation was not available at the time of the survey.

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, and interview, the child care failed to maintain employee records in accordance with regulatory requirements. A review of staff files and an ECE-TRIS report failed to reveal 15 hours of cabinet approved training for a staff member with a hire date of 03/01/17. Interview with the staff in charge revealed the documentation was not available at the time of the survey.

Programming

Not In Compliance

495 - Bedding/Toys in Crib

Not In Compliance

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

(3) Rest time shall include adequate space specified by the child's age as follows:

(a) For an infant:

- 3. No loose bedding, such as a bumper or a blanket; and**
- 4. No toys or other items except the infant's pacifier;**

Findings:

General: Based on observation, the child care center failed to comply with regulatory programming requirements. Observation in the Ones room revealed a toddler placed in a crib for nap with a paci clip attached to the shirt. Also observed in the Ones room were two (2) toddlers with loose bedding in their cribs.

Premises

Not In Compliance

540 - 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, the child care center failed to maintain the premises in accordance with regulatory requirements. Observation revealed floors which were in need of sweeping and mopping in the classrooms and hallways.

580 - 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 child care center failed to maintain the premises in accordance with regulatory requirements. Based on observation, the threshold into the preschool room from the hallway was missing, causing a tripping hazard. Additionally, a piece of baseboard, approximately 3-4 inches long, was missing along an outside wall in the school age class room.

Inspection Report

Hygienic Practices

Not In Compliance

655 - 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 his or her developmental skills;**
- (b) Except as established in paragraph (c) of this subsection, 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 touching an item or an area of the body soiled with body fluids or wastes; and**
- 6. After outdoor or indoor play time; and**

(c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.

Findings:

General: Based on observation, the child care center failed to comply with hygienic practices in accordance with regulatory requirements. Observation revealed a toddler removed from a high chair after eating lunch, taken to the changing table to have her diaper changed and then placed in a crib for nap. The child's hands were not washed after eating or after the diaper change. Further observation revealed the other three (3) toddlers and ten (10) preschool children who also failed to wash their hands with running water and soap after eating lunch.

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

750 - Playground Conditions

Not In Compliance

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

(20) An outdoor play area shall be:

- (d) Safe from foreseeable hazard;**
- (e) Well drained;**
- (f) Well maintained;**
- (g) In good repair; and**
- (h) Visible to staff at all times.**

Findings:

General: Based on observation, the child care center failed to maintain the outdoor play area in accordance with regulatory requirements. Observation revealed three (3) plastic tables/sand tables containing an accumulation of water. Also observed were two (2) metal, folding chairs, lying face-down on the ground with the seats containing standing water.

755 - 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, the child care center failed to maintain the outdoor play area in accordance with regulatory requirements. Observation revealed dark, plastic protruding from the mulch in several areas of the playground with climbing and sliding structures indicating an inadequate amount of ground covering.

760 - Fences

Not In Compliance

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

(23) Fences shall be:

- (a) Constructed of safe material;**
- (b) Stable; and**
- (c) In good condition.**

Findings:

General: Based on observation, the child care center failed to maintain the outdoor play area in accordance with regulatory requirements. Observation revealed a section of the chain link fence which was damaged and in disrepair.

Inspection Report

Equipment

Not In Compliance

820 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

(2) Indoor and outdoor equipment shall:

- (a) Be clean, safe, and in good repair;**
- (b) Meet the physical, developmental needs, and interests of children of different age groups;**
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
- (d) Be designed to guard against entrapment or situations that may cause strangulation.**

Findings:

General: Based on observation, the child care center failed to maintain the equipment in accordance with regulatory requirements. Observation in the Two year old room revealed a large, round navy-colored area rug that contained an excessive amount of debris.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

1010 - Kitchen Requirements

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(1) The kitchen shall:

- (a) Be clean;**
- (b) Be equipped for proper food:**
 - 1. Preservation;**
 - 2. Storage;**
 - 3. Preparation; and**
 - 4. Service;**
- (c) Be adequately ventilated to the outside air; and**
- (d) Except in a Type II child-care center when a meal is not being prepared, not be used for the activity of a child.**

Findings:

General: Based on observation, the child care center failed to maintain the food service in accordance with regulatory requirements. Observation revealed the kitchen floor to be dirty. Accumulations of dust rolled across the floor from a small breeze created by opening the freezer door, in addition to the large accumulation of dust observed behind the kitchen door. Observation also revealed the kitchen failed to have ventilation to outside air.

1025 - Refrigerator

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:

- (a) Have an indicating thermometer or other appropriate temperature measuring device;**
- (b) Be in a safe environment for preservation; and**
- (c) Be forty (40) degrees Fahrenheit or below.**

Findings:

General: Based on observation, the child care center failed to maintain the food service in accordance with regulatory requirements. A Kenmore refrigerator containing mostly milk, was observed to have an unclean shelf with dried-on substances and food debris.

1030 - Frozen Food

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(5) Frozen food shall be:

- (a) Kept at a temperature of zero degrees Fahrenheit or below; and**
- (b) Thawed:**
 - 1. At refrigerator temperatures;**
 - 2. Under cool, potable running water;**
 - 3. As part of the cooking process; or**
 - 4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217.**

Findings:

General: Based on observation, the child care center failed to maintain the food service in accordance with regulatory requirements. Observation of the Kenmore freezer revealed a broken thermometer, thereby failing to demonstrate that the food contained therein, was kept at a temperature of zero degrees Fahrenheit.

Inspection Report

1040 - Kitchen Equipment Clean and Sanitary

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(7) The following shall be clean and sanitary:

- (a) Eating and drinking utensils;**
- (b) Kitchenware;**
- (c) Food contact surfaces of equipment;**
- (d) Food storage utensils;**
- (e) Food storage containers;**
- (f) Cooking surfaces of equipment; and**
- (g) Nonfood contact surfaces of equipment.**

Findings:

General: Based on observation, the child care center failed to maintain the food service in accordance with regulatory requirements. Observation revealed a microwave and an oven with excessive amounts of baked on food, and food debris.

Children's Records

Not In Compliance

1135 - 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, and interview, the child care center failed to maintain children's records in accordance with regulatory requirements. A review of ten (10) children's files failed to reveal a current immunization certificate for a child with an enrollment date of 9/14/17. Interview with the staff in charge revealed the documentation was not available at the time of the survey.

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, and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. A review of written, posted documentation revealed an emergency preparedness plan dated 3/9/17. Interview with the staff in charge revealed an additional plan but failed to have documentation verifying that the plan had been sent to local emergency management.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of
Provider/Representative

Title

Date