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**Inspection Report**

<b>Provider Name:</b> Our Magic Years Childcare Center	<b>Provider Information</b>	<b>CLR No:</b> L359348
<b>Provider Address:</b> 1016 & 1020 N. Limestone, Lexington, KY, 40511	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 60
<b>Owner(s):</b> Our Magic Years Childcare Center LLC		<b>Director(s):</b> Brown, Marva

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 216530
<b>Date Initiated:</b> 09/21/2016 9:10 AM	<b>Date Concluded:</b> 09/21/2016 12:20 PM	
	<b>No. of Children Present:</b> 17	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance
<b>265 - Health, Safety, Comfort</b>	<b>Not In Compliance</b>
<b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b> <b>(1) Effective with the adoption of this administrative regulation, a director shall:</b> <b>(I) Provide for the health, safety, and comfort of each child;</b>	
<b>Findings:</b> General: Based on Observation, during a tour of the school age area a ladder was leaned against the wall at the back of the room near a door with the word exit. The ladder was accessible to the children. Upon arrival at the facility at approximately 9:10 a.m., a two (2) month old child was observed sitting in a bouncy seat that had been placed inside the child's crib. The surveyor went back into the room a few minutes later and the child had been removed but was then placed back in the bouncy seat which was still sitting in the infant's crib. A few minutes later the staff person took the child out of the bouncy seat again and removed the bouncy seat from the crib.	
Employee Records	Not In Compliance
<b>300 - Background checks/left alone</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 6. License Issuance.</b> <b>(5) An individual described in subsection (4) of this section shall:</b> <b>(a) Submit to background checks described in paragraph (b) of this subsection;</b> <b>(b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:</b> <b>1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;</b> <b>2. Criminal records check required by KRS 199.896(19);</b> <b>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</b> <b>4. An address check of the Sex Offender Registry; and</b> <b>(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.</b>	
<b>Findings:</b> General: Based on Review of Documentation, there was one (1) staff person with a hire date of 1/11/16 who had the results of a criminal records check dated 2/23/16. Further review of records found that the application for the results of the criminal records check was not submitted until 2/22/16. There was an additional staff person with a hire date of 11/19/15 who had the results of a criminal records check dated 12/1/15. A further review of records found that the application for the results of the criminal records check was not submitted until 11/30/15. The application for the results of a criminal records check should be submitted prior to employment or on the date of hire. The submission date of the application for the results of these criminal records checks was submitted after the staff person's date of hire.	

**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, there was one (1) staff person with a hire date of 8/22/11 and another staff person with a hire date of 8/15/11 who had the results of a T.B. test dated 8/18/14. This exceeds the two (2) year time frame for a T.B. skin test. In addition there was a staff person with a hire date of 1/11/16 who had the results of a T.B. skin test dated 2/3/16. This does not meet the requirement that the results of a negative T.B. skin test or a statement from a health professional indicating the individual is free from the symptoms of T.B. should be obtained prior to employment. During an interview with the staff person in charge found that this staff person had a current T.B. test when the staff person was hired. However, the staff person's previous employer would not give the staff person a copy of the T.B. test.

**340 - Training**

**Not 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.**

**Findings:**

General: Based on Review of Documentation and ECE-Tris records, there was one (1) staff person with a hire date of 1/24/16 who only had evidence of having completed one (1) hour of cabinet - approved early care and education training for 2015-2016. There was an additional staff person with a hire date of 7/12/11 who only had evidence of having completed ten (10) hours of cabinet-approved early care and education training for 2015-2016.

**Programming**

**Not In Compliance**

**435 - 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; and**
  - 4. No toys or other items except the infant's pacifier;**

**Findings:**

General: Based on Observation, a two (2) month old child was observed sleeping in a crib with a thick blanket and a stuffed animal that was laying against the rails of the crib. An interview with the staff person in charge found that the animal was attached to the end of the child's pacifier.

**Premises**

**Not In Compliance**

**460 - Inaccessible Items**

**Not In Compliance**

**922 KAR 2:120. Section 3. General Requirements.**

**(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:**

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Knives and sharp objects;**
- (c) Matches, cigarettes, lighters, and flammable liquids;**
- (d) Plastic bags;**
- (e) Litter and rubbish;**
- (f) Bar soap; and**
- (g) Personal belongings and medications of staff.**

**Findings:**

General: Based on Observation, upon arrival at the facility at approximately 9:10 a.m. all of the children were eating breakfast in the eating area. The kitchen is located off of the eating area and the surveyor observed that the kitchen door was propped open while the children were eating. The kitchen door remained propped open after the children left the area. The surveyor entered the kitchen and found an unlocked cabinet under the sink. Inside the cabinet there was a can of WD 40, a can of Comet cleaner, a bottle of Clorox bleach, a bottle of Magic Power Cleaner with bleach, three (3) gallons of paint, three (3) cans of spray paint, a bottle of soap scum remover, four (4) small cans of paint, a bottle of Totally Awesome All Purpose cleaner, a bottle of carpet cleaner, a bottle of Mr. Clean and a bottle of Fabuloso Cleaner.

500 - Building Requirements

Not In Compliance

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

(5) The building shall be constructed to ensure the:

(a) Building is:

1. Dry;
2. Adequately heated;
3. Ventilated; and
4. Well lit, including clean light fixtures that are:
  - a. In good repair in all areas; and
  - b. Shielded or have shattered proof bulbs installed; and

(b) Following are protected:

1. Windows;
2. Doors;
3. Stoves;
4. Heaters;
5. Furnaces;
6. Pipes; and
7. Stairs.

Findings:

General: Based on Observation, during an inspection of the bathroom located on the school age side there was an uncovered lightbulb. The lightbulb was not shatterproof.

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

655 - First Aid Supplies

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

(1) First aid supplies shall:

- (a) Be available to provide prompt and proper first aid treatment;
- (b) Be stored out of reach of a child;
- (c) Be periodically inventoried to ensure the supplies are current;
- (d) If reusable, be:
  1. Sanitized; and
  2. Maintained in a sanitary manner; and

(e) Include:

1. Liquid soap;
2. Adhesive bandages;
3. Sterile gauze;
4. Medical tape;
5. Scissors;
6. A thermometer;
7. Flashlight;
8. Cold pack;
9. First aid book;
10. Disposable gloves; and
11. A cardiopulmonary resuscitation mouthpiece protector.

Findings:

General: Based on Observation, during an inspection of first aid supplies located inside the building it was found that the flashlight was not working.

670 - 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;
- (b) Kept in the original bottle; and
- (c) Properly labeled.

(7) Medication shall not be given to a child if the expiration date on the bottle has passed.

Findings:

General: Based on Observation, during an inspection of first aid supplies located inside the facility two (2) tubes of Triple Antibiotic Ointment were found in the first aid kit. The tubes of ointment were not labled for an individual. The first aid kit was also unlocked and was stored on top of the refrigerator located in the children's eating area. During an inspection of first aid supplies stored on the vehicle used to transport children a bottle of Hydrogen Peroxide and a tube of Triple Antibiotic Ointment were observed inside a locked container. However, these items were not labeled for an individual.

Inspection Report	
Outdoor Play Area	Not In Compliance
<b>680 - 60 Square Feet</b>	<b>Not In Compliance</b>
<b>922 KAR 2:120. Section 4. Premises Requirements.</b> <b>(20) An outdoor play area shall be:</b> <b>(b) A minimum of sixty (60) square feet per child, separate from and in addition to the thirty-five (35) square feet minimum pursuant to subsection (6) of this section;</b>	
<b>Findings:</b> General: Based on Observation during an inspection of the outdoor play area, the area smelled of moth balls. Further inspection of the outdoor play area found ninety-one (91) moth balls scattered in various areas around the playground. During an interview with staff person in charge it was found that there was some type of bug observed on the playground and she contacted an exterminator and was told to place moth balls in the area. However, the moth balls had been placed on the playground on Tuesday of that week and the children had not been taken outside to play since that day. The staff person in charge stated further that gross motor activities were conducted in the children's classrooms. The facility does not have an indoor gross motor area.	
Equipment	In Compliance
Transportation	Not In Compliance
<b>820 - Vehicle Equipment</b>	<b>Not In Compliance</b>
<b>922 KAR 2:120. Section 12. Transportation.</b> <b>(4) A vehicle used to transport children shall be equipped with:</b> <b>(a) A fire extinguisher;</b> <b>(b) First aid supplies as described in Section 7 of this administrative regulation;</b> <b>(c) Emergency reflective triangles; and</b> <b>(d) A device to cut the restraint system, if necessary.</b>	
<b>Findings:</b> General: Based on Observation, during an inspection of first aid supplies located on the vehicle used to transport children it was found that there was not a flashlight, liquid soap, first aid book or a thermometer.	
Food Service	Not In Compliance
<b>960 - Bottles</b>	<b>Not In Compliance</b>
<b>922 KAR 2:120. Section 8. Kitchen Requirements.</b> <b>(9) Bottles shall be:</b> <b>(a) Individually labeled;</b> <b>(b) Promptly refrigerated;</b> <b>(c) Covered when not in use; and</b> <b>(d) Consumed within one (1) hour of being heated or removed from the refrigerator.</b>	
<b>Findings:</b> General: Based on Observation, there was an unlabeled bottle in the refrigerator located in the infant room.	
990 - Bottle Preparation by Parent	Not In Compliance
<b>922 KAR 2:120. Section 9. Food and Meal Requirements.</b> <b>(4) Formula or breast milk provided by the parent shall be prepared and labeled.</b>	
<b>Findings:</b> General: Based on Interview, it was found that the parents provide the formula for their child. Further interview found that the parents bring in a premeasured container of formula but staff measure the amount of water needed to prepare the bottle. The staff person in charge indicated during interview that extra baby formula is kept on hand if a parent forgets to bring formula or they run out of formula.	
Children's Records	Not In Compliance
<b>1070 - Immunization</b>	<b>Not In Compliance</b>
<b>922 KAR 2:110. Section 3. Records.</b> <b>(1) A child-care center shall maintain:</b> <b>(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;</b>	
<b>Findings:</b> General: Based on Review of Documentation, there were two (2) children's immunization certificates that did not have a date to verify that the immunization certificate was current.	

# Inspection Report

## 1075 - Enrollment Information

Not 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;

#### Findings:

General: Based on Review of Documentation, there were three (3) children's enrollment information that did not contain information regarding a preferred hospital.

Written Documentation

In Compliance

Posted Documentation

Not In Compliance

## 1160 - Disaster Course of Action

Not In Compliance

### 922 KAR 2:110. Section 3. Records.

#### (1) A child-care center shall maintain:

(j) A written plan and diagram outlining the course of action in the event of a natural or manmade disaster, posted in a prominent place;

#### Findings:

General: Based on Observation, a diagram outlining the course of action in the event of a natural or manmade disaster However, the written plan was not posted.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date