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Inspection Report

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| Provider Name: Creative Minds Learning Center | Provider Information | CLR No: L359499 |
| Provider Address: 23211 Hwy 421, Hyden, KY, 41749 | Provider Type: LICENSED TYPE I | Capacity: 20 |
| Owner(s): Creative Minds Learning Center, Llc | | Director(s): Smith, Amy Sheree |

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| Inspection Type: Renewal Application | Inspection Information | Inspection No: 307844 |
| Date Initiated: 06/25/2021 9:40 AM | Date Concluded: 06/25/2021 12:30 PM | |
| | No. of Children Present: 11 | |

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| Inspection Report | |
| Background Checks | In Compliance |
| Supervision | In Compliance |
| Staffing Requirements | In Compliance |
| General Administration | Not In Compliance |

210 - Licensee Responsibility **Not In Compliance**

922 KAR 2:090. Section 8. General.
(1) A licensee shall:
(a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and
(b) Protect and assure the health, safety, and comfort of each child.

Findings:

General: Based on observation and review of documentation, the surveyor found the following:

1. A staff's (DOH: 01/18/21) file did not contain a completed Child Abuse/Neglect Background Check or Criminal Records Background Check. During interview, staff-in-charge stated that she was unsure if the background checks were back yet and was unable to locate the documentation. Staff-in-charge stated that the staff person has not worked alone with children. The surveyor did not observe the staff person working alone with children. Based on review of the Kentucky National Background Check Service, the staff person did not have a completed background check.
2. A staff's (DOH: 05/07/21) file did not contain a completed Child Abuse/Neglect Background Check or Criminal Records Background Check. During interview, staff-in-charge stated the background checks were submitted; however, they have not received the completed background checks back yet. Staff-in-charge stated that the staff person has not worked alone with children. The surveyor did not observe the staff person working alone with children. Based on review of the Kentucky National Background Check Service, the staff person did not have a completed background check.
3. Boxes stacked at the entry door in front of a set of cubbies. Staff-in-charge stated that the boxes arrived yesterday and they contained tricycles.
4. Several cots standing upright and stacked against each other in a small hallway that leads to the playground.
5. Several cords dangling from a shelf on the wall and two (2) tall boards leaned against the wall behind a door in an office space where the exit door is located that leads to the playground. During interview, staff-in-charge confirmed that the children walk through the office space to access the exit door that leads to the playground.
6. A long piece of white wall trim with four (4) exposed nails in it placed by the exit door to the playground.
7. A weed eater and leaf blower placed on top of a set of racks beside the exit door to the playground.

Director Requirements **In Compliance**

Inspection Report

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, the surveyor found that a staff's (DOH: 09/27/19) file did not contain documentation of a current TB skin test or a statement from a health professional stating that the adult was free from active tuberculosis. During interview, staff-in-charge stated that the staff person has not had a COVID vaccination in the last four (4) weeks.

Programming

In Compliance

Premises

Not In Compliance

520 - Inaccessible Items

Not In Compliance

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

- (7) The following shall be inaccessible to a child in care:**
 - (a) Toxic cleaning supplies, poisons, and insecticides;**
 - (b) Matches, cigarettes, lighters, and flammable liquids; and**
 - (c) Personal belongings and medications of staff.**

Findings:

General: Based on observation, the surveyor found the following:

1. A broom and dust pan placed beside a bookshelf in the Preschool Classroom.
2. A broom and dust pan placed beside of a half wall leading to the exit door to the playground.
3. A broom placed on the deck by the exit door to the playground.
4. A large umbrella placed near the exit door that leads to the playground.
5. A staff's purse placed on the floor near the exit door that leads to the playground.
6. A bottle of wite-out and stapler placed on a desk that is by the exit door to the playground.
7. A bag of potting mix placed under the deck steps on the playground.

The items mentioned were observed to be accessible to the children.

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 surveyor found a square rug that contained stains in the Toddler Classroom; therefore, the rug was not kept clean.

Hygienic Practices

Not In Compliance

685 - 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 surveyor found a tear in the diaper changing pad and debris underneath the diaper changing pad on the diaper changing table in the Toddler Classroom; therefore, the diaper changing surface was not clean and free from tears.

First Aid/Medication

In Compliance

Inspection Report

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 of the playground, the surveyor found the following:

1. A swing seat with chains exposed and Little Tikes seat with the rope exposed placed on the deck on the playground.
2. A rise in the bottom step of the deck; therefore, the height of the bottom step created a tripping/falling hazard for the children.
3. Four (4) large boxes with one (1) of the boxes standing upright placed under the deck steps.
4. Four (4) large boxes stacked on top of each other placed beside the deck steps. During interview, staff-in-charge stated that the boxes contained a new border for the playground.
5. Wooden boards bordering the playground that were observed to be decayed and knocked over; therefore, creating a tripping hazard for the children.
6. Several rusty metal stakes placed in the ground beside the wooden boards bordering the playground that were exposed.
7. Two (2) large nails exposed in the wooden boards bordering the playground.
8. A green metal toy with what appeared to be steering wheels attached to it that contained rust.
9. Two (2) white umbrella poles stuck in the fence on the playground.
10. Six oblong containers attached by a rope and placed on the playground.
11. A loose white umbrella pole in the center of a child sized picnic table.
12. Several rusty metal stakes placed beside of the fence by the bottom step of the deck on the playground.

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 surveyor found that the protective surface around two (2) climbing structures with slides was depleted and did not have an adequate fall zone on the playground.

Equipment

Not In Compliance

790 - Crib/Mattress/Sheet

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:**
 - 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;**
 - 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:**
 - a. Weekly; or**
 - b. Immediately if it is soiled or wet;**

Findings:

General: Based on observation, the surveyor found one (1) white fitted sheet and one (1) green fitted sheet that contained stains. The sheets were placed in cribs inside the Infant Classroom.

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

In Compliance

Inspection Report

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, the surveyor found the following:

- 1. A child's (DOE: 1/28/19) file contained an immunization certificate that was no longer current as of 10/22/20.
2. A child's (DOE: 10/28/20) file contained an immunization certificate that was no longer current as of 2/16/21.

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 review of documentation, the surveyor found the following:

- 1. A child's (DOE: 1/28/19) file did not contain a contact telephone number for the child's preferred hospital.
2. A child's (DOE: 10/28/20) file did not contain a contact telephone number for the child's preferred hospital.
3. A child's (DOE: 06/08/21) file did not contain a contact telephone number for the child's preferred family physician.
4. A child's (DOE: 11/02/20) file did not contain the preferred physician name or contact telephone number.
5. A child's (DOE: 01/18/21) file did not contain a contact telephone number for the child's preferred hospital.
6. A child's (DOE: 05/16/18) file did not contain the preferred hospital name or contact telephone number.

Written Documentation

Not In Compliance

1195 - Fire Drills

Not In Compliance

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

(12) A fire drill shall be:

- (a) Conducted during hours of operation at least monthly; and
(b) Documented.

(13) An earthquake drill and a tornado drill shall be:

- (a) Conducted during hours of operation at least quarterly; and
(b) Documented.

Findings:

General: Based on review of documentation, the surveyor found no documentation of fire drills conducted during the months of April and May of 2021. During interview, staff-in-charge stated that the fire drills were completed; however, she was unable to locate the documentation.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date