



Andy Beshear
GOVERNOR

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

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511
Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Little Miracles Child Development Center Provider Address: 5904 Taylor Road, Burlington, KY, 41005 Owner(s): Little Miracles, Inc.	Provider Information Provider Type: LICENSED TYPE I	CLR No: L354943 Capacity: 80 Director(s): Alwaqfi, Barb Renee
Inspection Information Inspection Type: Renewal Application Date Initiated: 12/12/2019 10:10 AM Date Concluded: 12/12/2019 12:50 PM No. of Children Present: 43		
Inspection No: 291726		

Inspection Report	
Background Checks	Not In Compliance
10 - Submit background check	Not In Compliance
922 KAR 2:280 - Section 4. Procedures and Payments. (1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall: (a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member; (b) Request that the prospective child care staff member complete and sign the: 1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and 2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and (c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the: 1. Child abuse and neglect central registry pursuant to 922 KAR 1:470; 2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.	
Findings: General: Based on review of documentation and interview, the facility failed to submit a background check. One staff person (hire date: 6/24/19) did not have background check documentation on file. The surveyor reviewed the Kentucky National Background check service (KARES) database and found that a background check has not yet been submitted for this staff person. The staff person identified this person as a staff person that works three days a week and indicated that she is always paired with another staff person. The staff person in charge stated that this staff person used to work at a different child care facility; therefore, she should already have a completed background check in KARES.	

20 - Out of state background checks

Not In Compliance

922 KAR 2:280. Section 5. Checks of Other States.

(1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall:

(a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet:

1. An in-state criminal records check by:

a. Means of fingerprints for the state of residence; or

b. Any means accepted by a state of prior residency;

2. A check of the state's sex offender registry or repository; and

3. A check of the state-based child abuse and neglect registry and database; and

(b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601.

Findings:

General: Based on review of documentation, observation, and interview, this regulatory requirement was not met. A review of employee files during the visit found that a staff person with a hire date of 8/6/19, did not have documentation of an out of state background check from Ohio. The staff person had a copy of an Ohio driver's license in her file. The staff person in charge acknowledged this finding and stated that she thought the completed fingerprint-based background check in KARES was sufficient. This staff person was not observed working alone with children during the visit; she was paired with another staff person in the preschool classroom.

Supervision

In Compliance

Staffing Requirements

In Compliance

General Administration

Not In Compliance

145 - Fire Marshal

Not In Compliance

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

(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:

(b) Be approved by the Office of the State Fire Marshal or designee;

Findings:

General: Based on review of documentation and interview, this regulatory requirement was not met. At the time of the survey, a State Fire Marshal inspection report was not presented for surveyor review. The staff person in charge stated that the Fire Marshal inspector told her that he would email her a copy of the report during his last inspection; however, she was not able to locate the document during the visit.

Director Requirements

In Compliance

Employee Records

Not In Compliance

385 - Personnel File

Not In Compliance

922 KAR 2:090. Section 9. 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. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and

5. The results of background checks conducted in accordance with 922 KAR 2:280;

Findings:

General: Based on review of documentation and interview, this regulatory requirement was not met. A review of staff files during the inspection found one staff person that did not have the date of employment listed in their file. The staff person in charge spoke with the staff person in question during the visit and then verbally identified 12/4/19, as the hire date. However, the date of hire was not maintained in the staff person's file.

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 the Training Records Information System (TRIS), the following was found:

1. One staff person (hire date: 9/9/19) did not complete the six hours of cabinet-approved training within the first three months of employment.

2. One staff person (hire date: 1/25/02) did not have evidence of completing the required pediatric abusive head trauma training class.

3. One staff person (hire date: 5/10/16) completed the pediatric abusive head trauma training class on 12/19/13; therefore, this training is no longer valid.

4. One staff person (hire date: 4/16/18) did not complete the pediatric abusive head trauma training class within the first year of employment. The certificate was dated 9/28/19. This same staff person only completed six hours of training during their first year of employment.

Inspection Report	
Programming	Not In Compliance
420 - Program of Activities Followed	Not In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(4) The child-care center shall provide a daily planned program:</p> <p>(a) Posted in writing in a conspicuous location with each age group and followed;</p> <p>(b) Of activities that are individualized and developmentally appropriate for each child served;</p> <p>(c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and</p> <p>(d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:</p> <ol style="list-style-type: none"> 1. Art or music; 2. Math or numbers; 3. Dramatic play; 4. Stories and books; 5. Science or nature; 6. Block building or stacking; 7. Tactile or sensory activity; 8. Multi-cultural exposure; 9. Indoor or outdoor play in which a child makes use of both small and large muscles; 10. A balance of active and quiet play, including group and individual activity; 11. An opportunity for a child to: <ol style="list-style-type: none"> a. Have some free choice of activities; b. If desired, play apart from the group at times; <p>Findings:</p> <p>General: Based on review of documentation and interview, this regulatory requirement was not met. During the inspection, the surveyor observed a piece of paper lying on the desk in the office that had, "I will follow the rules at Little Miracles," written on it 14 times. The surveyor questioned the staff person in charge about the note. The staff person in charge stated that the sentences were written by a seven-year-old child and indicated that the child's parent gave verbal permission for the facility to have the child write sentences as a form of discipline. This experience was not developmentally appropriate and did not promote the child's social growth and well-being.</p>	
445 - Waiting Period	Not In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(8) A child shall not be required to stand or sit for a prolonged period of time:</p> <p>(a) During an activity;</p> <p>(b) While waiting for an activity to start; or</p> <p>(c) As discipline.</p> <p>Findings:</p> <p>General: Based on observation, this regulatory requirement was not met. The surveyor entered the two-year-old classroom at 10:10 AM and observed all of the children (eight total) sitting at the classroom table while the staff person hand washed sippy cups in the classroom sink. The children did not have any food, drink or activities available to them at the time. The staff person told the surveyor that it was the children's "chill out" time. Approximately seven minutes later (10:17 AM), the staff person read a book to the children; however, the children were instructed to stay seated at the table. At 10:34 AM, the surveyor observed the children still sitting at the table with no food, drink or activities available to them. The surveyor asked the staff person what time lunch would be served and she replied, "Around 11:00 AM." At 10:43 AM and 10:57 AM, the surveyor observed the staff person singing songs to the children while they sat at the table. The surveyor observed the children sitting as described above from 10:10 AM - 10:57 AM. The children were crying and became visibly restless toward the end of the time frame.</p>	
Premises	Not In Compliance
520 - Inaccessible Items	Not In Compliance
<p>922 KAR 2:120. Section 3. General Requirements.</p> <p>(7) The following shall be inaccessible to a child in care:</p> <p>(a) Toxic cleaning supplies, poisons, and insecticides;</p> <p>(b) Matches, cigarettes, lighters, and flammable liquids; and</p> <p>(c) Personal belongings and medications of staff.</p> <p>Findings:</p> <p>General: Based on observation, this regulatory requirement was not met. The following was found:</p> <ol style="list-style-type: none"> 1. During a tour of the two-year-old classroom, the surveyor observed two cans of Glade air freshener spray stored in an unlocked cabinet below the sink area. The label on the cans read, "Keep Out of Reach of Children." 2. During a tour of the one-year-old classroom eating area, the surveyor observed two bottles of bleach stored in an unlocked cabinet below the sink area. The label on the bottles read, "Keep Out of Reach of Children." 3. During a tour of the two-year-old classroom, the surveyor observed a staff person's purse positioned on top of a toy shelf near a radio, fan, and small Christmas tree. The purse was accessible to the children in the classroom. 	
Hygienic Practices	In Compliance
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 and interview, this regulatory requirement was not met. The following was found: 1. During a tour of the preschool playground, the surveyor observed a metal wire wrapped around a wooden post on the large play structure. Part of the wire (approximately six - eight inches long) was sticking out and contained sharp edges on the end of it. The wire was accessible to the children. The staff person in charge acknowledged the wire and stated that a wooden bridge had been removed from the area and indicated that the wire should have been removed at this time. 2. During a tour of the toddler playground, the surveyor observed two long ruts in the ground that were several inches deep. The ruts started at the concrete pad and continued to the wooden shelter area. The ruts appeared to be from a drainage issue; however, the staff person in charge stated that they were caused from the children riding trikes down the hill multiple times.	
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, this regulatory requirement was not met. During a tour of the toddler playground, the surveyor observed a small slide (approximately two feet tall) positioned on grass. There was no protective surface material underneath the slide.	
Equipment	Not In Compliance
815 - Toys/Furniture	Not In Compliance
922 KAR 2:120. Section 11. Toys and Furnishings. (1) All toys and furniture contacted by a child shall be: (a) Kept clean and in good repair; and (b) Free of peeling, flaking, or chalking paint.	
Findings: General: Based on observation, this regulatory requirement was not met. The following was found: 1. During a tour of the two-year-old classroom, the surveyor observed three baby dolls that were unclean. The cloth fabric surface on the dolls contained embedded dirt/stains and the fabric was torn in a few places. 2. During a tour of the two-year-old classroom, the surveyor observed broken particle board on top of a toy shelf and two exposed screws. 3. During a tour of the one-year-old classroom, the surveyor observed several missing handles (approximately six or seven) on the cabinets and drawers. The staff person in charge stated that the staff removed the handles as a way to keep the children from opening the cabinets and drawers.	
Transportation	In Compliance
Food Service/Food Program	In Compliance
Food Service	Not In Compliance
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 and interview, this regulatory requirement was not met. The surveyor entered the two-year-old classroom at 10:10 am and observed the staff person washing plastic reusable sippy cups by hand in the classroom sink. This process does not meet the requirement of the regulation because the items are not sanitized. The staff person in charge stated during interview that the sippy cups are typically washed in the kitchen and indicated that the staff person working in the two-year-old classroom was covering for the regular staff person.	

1050 - Bottles

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.**(9) Bottles shall be:**

- (a) Individually labeled;**
- (b) Promptly refrigerated;**
- (c) Covered while not in use; and**
- (d) Consumed within one (1) hour of being heated or removed from the refrigerator.**

Findings:

General: Based on observation, this regulatory requirement was not met. An inspection of the refrigerator in the one-year-old classroom found four uncovered bottles and one bottle that was not labeled with a child's name.

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, this regulatory requirement was not met. The following was found:

1. Two children (enrollment dates: 9/23/19 and 7/19/19) did not have immunization records on file.
2. Two children (enrollment dates: 1/1/16 and 7/26/18) had immunization certificates that were no longer current as of 10/29/19 and 4/9/19.
3. One child's file (enrollment date: 12/11/17) had an immunization certificate that did not have the required information (expiration date); therefore, it could not be determined whether or not the immunization certificate was current.

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, this regulatory requirement was not met. One child's file/enrollment paperwork did not have physician contact information (enrollment date: 12/11/17).

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 facility had an emergency preparedness plan; however, did not have evidence that the plan had been updated or resubmitted to the local emergency management official within the review period.

Inspection Report		
	Posted Documentation	Not In Compliance
1200 - Posting Requirements		Not In Compliance
<div>922 KAR 2:090. Section 8. General.</div> <div>(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:</div> <div>(a) The provider's preliminary or regular license;</div> <div>(b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;</div> <div>(c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;</div> <div>(d) Information on the Kentucky Consumer Product Safety Program and the program's Website as specified in KRS 199.897;</div> <div>(e) A description of services provided by the child-care center, including:</div> <div>1. Current rates for child care; and</div> <div>2. Each service charged separately and in addition to the basic rate for child care;</div> <div>(f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and</div> <div>(g) Daily planned program.</div> <div>Findings:</div> <div>General: Based on review of documentation, this regulatory requirement was not met. Observation of the center's posted items revealed the current rates for child care, along with a description of services provided, was not posted.</div>		
1215 - Daily Activities		Not In Compliance
<div>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</div> <div>(1) A director shall:</div> <div>(h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;</div> <div>Findings:</div> <div>General: Based on review of documentation, this regulatory requirement was not met. The school age classroom did not have a schedule of daily activities posted.</div>		
	Animals	In Compliance