



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

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>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Creative Kids Daycare	Provider Information	CLR No: L376610
Provider Address: 905 Bob McCullough Drive, Ashland, KY, 41102	Provider Type: LICENSED TYPE I	Capacity: 40
Owner(s): R & E Industries, LLC		Director(s): Diamond, Christina Annette

Inspection Type: Renewal Application	Inspection Information	Inspection No: 306239
Date Initiated: 03/01/2021 10:27 AM	Date Concluded: 03/01/2021 12:37 PM	
	No. of Children Present: 28	

Inspection Report	
Background Checks	Not In Compliance
20 - Out of state background checks	Not In Compliance
<p>922 KAR 2:280. Section 5. Checks of Other States.</p> <p>(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:</p> <p>(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:</p> <ol style="list-style-type: none"> 1. An in-state criminal records check by: <ol style="list-style-type: none"> 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 <p>(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.</p> <p>Findings:</p> <p>General: Based on observation, it was found that one staff member has lived in West Virginia within the last five years. This staff member did not have an out of state criminal background check, child abuse and neglect checks, or a sexual offender registry checks on file at the facility. It is important to note that the staff member was not working at the facility at the time of the inspection. The date of hire for this staff is 09/08/2020.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
210 - Licensee Responsibility	Not In Compliance
<p>922 KAR 2:090. Section 8. General.</p> <p>(1) A licensee shall:</p> <p>(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</p> <p>(b) Protect and assure the health, safety, and comfort of each child.</p> <p>Findings:</p> <p>General: Based on observation, it was found that there were cords that were not secured in the two-year-old classroom. These cords were connected to a TV and what appeared to be a DVD player. Due to the cords not being secured, this posed a safety risk to the children in this classroom.</p>	
Director Requirements	In Compliance

Inspection Report**Employee Records****Not In Compliance****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 completed within the first three (3) months of employment in a child care program;
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, 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 completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

(17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on observation, it was found that one staff member did not complete the orientation training within the required ninety day time period. The staff was hired on 09/04/2020, but did not complete orientation until 01/07/2021. A review of ECE-TRIS confirmed these findings.

Programming**Not In Compliance****420 - Program of Activities Followed****Not In Compliance****922 KAR 2:120. Section 2. Child Care Services.**

(4) The child-care center shall provide a daily planned program:

- (a) Posted in writing in a conspicuous location with each age group and followed;
- (b) Of activities that are individualized and developmentally appropriate for each child served;
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and
- (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:

- 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:
 - a. Have some free choice of activities;
 - b. If desired, play apart from the group at times;

Findings:

General: Based on observation, it was found that the lesson plan in the one-year-old room was outdated.

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 following was found:

- 1.) In the three-year-old classroom, there was hand sanitizer and shaving cream in an unlocked cabinet. These were accessible to the children. In addition, it was found that there was a spray bottle that was labeled odor-bad and water. This was sitting on a shelf, in the corner of the classroom.
- 2.) During a tour of the facility, the kitchen door was opened. There were numerous cleaners and trash bags accessible.
- 3.) In the lobby of the facility, there was a large container of hand sanitizer accessible to the children.
- 4.) In the hallway bathroom, there was a diaper changing table that had storage underneath. There was a locking mechanism; however, this was not engaged at the time of the inspection. There were bleach water bottles as well as soap water bottles that were accessible.

525 - Items Accessible Only During Activity**Not In Compliance****922 KAR 2:120. Section 3. General Requirements.**

(8) The following shall be inaccessible to a child in care unless under direct supervision and part of planned program of instruction:

- (a) Knives and sharp objects;
- (b) Litter and rubbish;
- (c) Bar soap; and
- (d) Plastic bags not used for personal belongings.

Findings:

General: Based on observation, it was found that there was a teacher's bag sitting on the floor in the three-year-old classroom. In addition, there was also a stapler accessible to the children. This stapler was not being used for any kind of activity.

Inspection Report

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 following was found:

- 1.) In the one-year-old room, a vent in the ceiling was starting to come out of the ceiling.
- 2.) In the three-year-old room, there was a blue, sticky substance on the wall.

650 - Toilet

Not In Compliance

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

(4) Each toilet shall:

- (a) Be kept in clean condition;
- (b) Be kept in good repair;
- (c) Be in a lighted room; and
- (d) Have ventilation to outside air.

Findings:

General: Based on observation, it was found that there was urine and toilet paper in both toilets of the hallway bathroom.

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, it was found that the diaper changing pad was stapled at the ends. Also, the padding was also exposed; therefore, the diaper changing pad could not be properly sanitized.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

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, the following was found:

- 1.) In the one-year-old classroom, the handwashing sink was missing paint.
- 2.) In the three-year-old classroom, there was a dinosaur rug that was frayed on the corners.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

In Compliance

Inspection Report	
Children's Records	Not In Compliance
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, it was found that three children's files did not list a preferred hospital on the enrollment paperwork.	
Written Documentation	Not In Compliance
1190 - Orientation Procedure	Not In Compliance
922 KAR 2:120. Section 2. Child Care Services. (3)(b) The program shall include: 2. Written policy that states that the procedures that were taught at the orientation training shall be implemented by each child-care center staff member.	
Findings: General: Based on review of documentation, it was found that there was not an orientation procedure on file at the facility during the time of inspection.	
Posted Documentation	Not In Compliance
1215 - Daily Activities	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;	
Findings: General: Based on observation, it was found that the daily schedule was not posted in the two-year-old classroom.	
1220 - Diapering/Handwashing	Not In Compliance
922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements. (9) The proper methods of diapering and hand-washing shall be posted at each diaper changing area.	
Findings: General: Based on observation, it was found that the handwashing steps were not posted in the two-year-old classroom. There is a handwashing sink in this classroom.	
Animals	In Compliance
Emergency Regulation	Not In Compliance
1260 - Emergency Regulation	Not In Compliance
922 KAR 2:410E. Emergency Regulation. Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:410E, to prevent the spread of COVID-19.	
Findings: General: Based on review of documentation, it was found that one staff member had not yet completed the required reopening training. The date of hire for this staff member is 09/17/2018. A review of ECE-TRIS confirmed this finding.	

Signature of Provider/Representative

Title

Date