

Statement of Deficiencies

Statement of Deficiencies

7302-F: State Central Registry

Not Met

7302-F: Conditions for Owners, Operators, Employees and Volunteers. Any owner, operator, current or prospective employee, or volunteer of a child care facility requesting licensure by the department and/or a child care facility licensed by the Department of Social Services is prohibited from working in a child care facility if the individual discloses, or as the result of information known or received by the Department of Social Services, that individual's name is recorded on the state central registry (SCR) as a perpetrator for a justified (valid) finding of abuse or neglect of a child, unless there is a finding by the Risk Evaluation Panel or a ruling by the Division of Administrative Law that the individual does not pose a risk to children.

1. An individual owning, operating, employed by or volunteering in a child care facility prior to January 1, 2010, licensed by the department shall be required to complete a state central registry disclosure form on or before February 1, 2010. This information shall be reported at the time of application, annually, at any time upon the request of the department, and within three working days of any such individual receiving notice of a justified (valid) determination of child abuse or neglect.

a. The owner, operator, and current employee/volunteer of the licensed child care facility shall complete, sign and date the state central registry disclosure form. The current or prospective employee/volunteer shall submit the disclosure form to the owner or operator of the facility. The owner or operator shall also be required to provide documentation of his or her state central registry disclosure form.

b. Any current employee/volunteer hired before January 1, 2010, who discloses that their name is recorded on the state central registry with a justified (valid) finding of abuse or neglect, or through reasonable suspicion, or as the result of information known or received by the Department of Social Services will have 10 calendar days from completion of the state central registry disclosure form to request a risk assessment evaluation in accordance with LAC 67:1.305 or shall be terminated immediately. As a condition of continued employment the employee/volunteer shall be directly supervised by another paid employee of the facility, who has not disclosed that their name appears with a justified (valid) finding on the state central registry. Under no circumstances may the staff person with the justified finding be left alone and unsupervised with the children pending the disposition of the Risk Evaluation Panel that they do not pose a risk to children. When these conditions are met, the employee/volunteer may be counted in child staff ratio. If the Risk Evaluation Panel finds the individual does pose a risk to children and the individual chooses not to appeal the finding, the employee/volunteer shall be terminated immediately. If the Risk Evaluation Panel finds the individual does pose a risk to children and the individual appeals the finding within the required timeframe, the employee/volunteer shall continue to have direct supervision at all times by another paid employee of the facility who has not disclosed that they have a justified finding on the state central registry until a ruling by the Division of Administrative Law that they do not pose a risk to children. Supervision may end effective with such a ruling from the Division of Administrative Law. If the Division of Administrative Law upholds the Risk Evaluation Panel finding that they do pose a risk to children, they shall be terminated immediately.

2. After January 1, 2010, any prospective owner, operator, or prospective employee/volunteer of a child care facility requesting licensure by the department and/or the child care facility requesting licensure by the department shall be required to complete a state central registry disclosure form. This information shall be reported at the time of application, annually, at any time upon the request of the department, and within three working days of any such individual receiving notice of a justified (valid) determination of child abuse or neglect.

a. The prospective employee/volunteer of a child care facility requesting licensure by the department and/or licensed child care facility shall complete, sign and date the state central registry disclosure form. The prospective employee/volunteer shall submit the disclosure form to the owner or operator of the facility. The owner or operator shall also be required to provide documentation of his or her state central registry disclosure form.

b. If a prospective operator, employee/volunteer discloses that his or her name is currently recorded as a perpetrator on the state central registry, the child care facility representative/prospective employer shall inform the applicant they will not be considered for employment or volunteer duties at the time due to the state central registry disclosure and the child care facility representative/prospective employer will provide the prospective employee/volunteer with the request for risk panel evaluation form.

3. SCR disclosure forms, documentation of any disposition of the Risk Evaluation Panel and, when applicable, the Division of Administrative Law ruling shall be maintained in accordance with current department licensing requirements and be available for review by Child Care Licensing and Regulatory personnel during the facility's hours of operation. They shall be kept on file a minimum of one year from termination of the employee or volunteer from the center.

4. Any information received or knowledge acquired that a current or prospective owner, operator, volunteer, employee or prospective employee or volunteer has falsified a state central registry disclosure form stating that they are not currently recorded as a perpetrator with a justified (valid) determination of abuse or neglect shall be reported in writing to a Child Care Licensing manager at the Department of Social Services, Office of Family Support, Child Care Licensing and Regulatory Section as soon as possible, but no later than the close of business on the next working day.

5. Any state central registry disclosure form, Risk Evaluation Panel finding and Division of Administrative Law ruling that is maintained in a child care facility licensing file shall be confidential and subject to the confidentiality provisions of R.S. 46:56(F) pertaining to the investigations of abuse and neglect.

6. Violations of any of the provisions of this Section shall result in licensing enforcement actions up to and including revocation of the license to operate.

Finding:

7302-F Based on record review the provider failed to have a current SCR 1 form on file for (5) of (9) staff :

FINDINGS INCLUDE:

-Specialist review of staff's (S1-DOH: 4/23/07) personnel file indicates (S1's) SCR 1 form expired 2/28/12. According to staff's daily attendance (S1) was on the premises working without a current SCR 1 file on 3/1/13, 3/4/13, and she was observed working with children today. While specialists were on the premises (S1) completed her SCR 1 form.

-Specialist review of staff's (S2-DOH: 6/28/07) personnel file indicates (S2's) SCR 1 form expired on 2/28/12. According to staff's daily attendance (S2) was on the premises working without a current SCR 1 file on 3/1/13, 3/4/13, and she was observed working with children today. While specialists were on the premises (S2) completed her SCR 1 form.

-Specialist review of staff's (S4-DOH: 11/1/07) personnel file indicates (S4's) SCR 1 form expired 2/28/12. According to staff's daily attendance (S4) was on the premises working without a current SCR 1 on file on 3/1/13, and she was observed working with the infants. While specialist were on the premises (S4) completed her SCR 1 form.

-Specialist review of staff's (S8-DOH: 4/23/07) personnel file indicates (S8's) SCR 1 form expired 2/28/12. According to staff's daily attendance (S8) was on the premises without a current SCR 1 on file on 3/1/13 & 3/5/13. Although (S8) listed he was on the premises on 3/5/13 at 12:30pm according to his sign in/sign out daily attendance log, specialists did not observe him on the premises. (S1) stated, "(S8) was on the premises as he came and brought trash bags." While specialist was on the premises (S8) completed his SCR 1 form.

-Specialist review of staff's (S7-DOH: 4/23/07) personnel file indicates (S7's) SCR1 form expired on 2/28/12. According to staff's daily attendance (S7)

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7305-B: Liability Insurance

Not Met

7305-B: The provider shall maintain in force at all times current commercial liability insurance for the operation of a center to ensure medical coverage for children in the event of accident or injury. The provider is responsible for payment of medical expenses of a child injured while in the provider's care. Documentation shall consist of the insurance policy or current binder that includes the name of the child care facility, physical address of the facility, name of the insurance company, policy number, period of coverage and explanation of the coverage.

Finding:

7305-B Based on record review the provider failed to maintain commercial liability insurance coverage to cover the number of children who were present in the center on February 27, 2013 and February 28, 2013. As according to the children's sign in/sign out log on February 27, 2013 there were 43 children present in the center. Also, on February 28, 2013 there were 42 children signed into the center. As the center's current liability insurance coverage on file only covers the center's licensed capacity which is 41.

7305-H: Children's Daily Attendance

Not Met

7305-H: A daily attendance record for children, completed by the parent or center staff, including the time of arrival and departure of each child and the name of the person to whom the child was released, shall be maintained. This record shall accurately reflect the children on the child care premises at any given time. If the record is completed by center staff, that individual shall write the first and last name of the person to whom the child was released and sign his/her own name. Children who leave and return to the center during the day shall be signed in/out. A computerized sign in/out procedure is acceptable if the record accurately reflects the time of arrival and departure as well as the name of the person to whom the child was released.

Finding:

7305-H Based on record review the provider failed to have a daily attendance record for children, completed by the parent or center staff, including the time of arrival and departure of each child and the name of the person to whom the child was released, shall be maintained. This record shall accurately reflect the children on the child care premises at any given time. If the record is completed by center staff, that individual shall write the first and last name of the person to whom the child was released and sign his/her own name. Children who leave and return to the center during the day shall be signed in/out. A computerized sign in/out procedure is acceptable if the record accurately reflects the time of arrival and departure as well as the name of the person to whom the child was released.

FINDINGS INCLUDE:

- On February 21, 2013 (4) out of (38) children failed to list a time of departure.
- On February 25, 2013 (5) out of (40) failed to list a time of departure, and also the sign in/out log failed to list a person to whom the child was released to (7) out of (40) children.
- On February 26, 2013 (9) out of (38) children failed to list a time of departure, and also the sign in/out log failed to list to whom the child was released for (8) out of (38) children.
- On February 27, 2013 (9) out of (43) children failed to list a time of departure, and also the sign in/out log failed to list to whom the child was released for (11) of (43) children.
- On February 28, 2013 (8) out of (42) children failed to list a time of departure, and also the sign in/out log failed to list to whom the child was released for (12) out of (42) children.
- On March 4, 2013 (11) out of (38) children failed to list a time of departure, and also the sign in/out log failed to list to whom the child was released for (8) of (38) children.

7305-I: Staff Attendance

Not Met

7305-I: A daily attendance record for staff, including the director/owner, to include the time of arrival and departure shall be maintained. Staff shall document in/out when not on the child care premises. This record shall accurately reflect persons on the child care premises at any given time.

Finding:

7305-I Based on record review the provider failed to have a daily attendance record for staff (S2) to include the time of arrival and departure. As according to the staff's daily attendance record (S2) failed to sign in as being on the premises for 2/27/13 & 2/28/13. When questioned staff (S2) stated she worked on Wednesday, February 27, 2013 and Thursday, February 28, 2013 and admitted that she failed to sign into the center.

-Although (S8) listed he was on the premises on 3/5/13 at 12:30pm according to his sign in/sign out daily attendance log, specialists did not observe him on the premises as he is not signed out. (S1) stated, "(S8) was on the premises as he came and brought trash bags and then left."

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7306-B: Daily Schedule

Not Met

7306-B: A schedule of the day's plan of activities, allowing for flexibility and change, shall be posted. The program of activities shall be age-appropriate and shall be adhered to with reasonable closeness, but shall accommodate and have due regard for individual needs and differences among the children. The program shall provide time and materials for both vigorous and quiet activities for children to share or to be alone, indoor and outdoor play, and rest. Regular time shall be allowed for routines such as washing, lunch, rest, snacks and putting away toys. Active and quiet periods shall be alternated so as to guard against over-stimulation of the child.

Finding:

7306-B Based on observations the provider failed to have a daily posted schedule to include the plan of activities listing the hours of operation. As the daily posted schedules in each classroom only list the day's plan of activities from 6:30 am till 5:30 pm, and it does not list a schedule of activities for the licensing hours of operation in which the center is open until 9:00 pm. As the provider needs to post a schedule to include the day's plan of activities from 5:30 pm till 9:00 pm. Also, there is no schedule listing a plan of activities to include the center's licensing hours of 8:00 am till 3:00 pm on Saturdays.

7306-E: Awake Children

Not Met

7306-E: While awake, children shall not remain in a crib/baby bed, swing, highchair, carrier, playpen, etc. for more than 30 consecutive minutes.

Finding:

7306-E Based on observations the provider allowed 4-1 year old children to sit strapped in at the feeding table (large table with yellow drop in chairs) with their feet hanging from 9:15 am till 11:45 am. As upon arrival, the 4-1 year old children were observed by specialist sitting in the feeding table watching television while eating breakfast. The children were then observed watching educational programs, as well as, receiving instructional guidance with staff while remaining in the feeding table. At approximately 11:15 am they were observed still in the feeding table eating lunch. Then, at 11:45 am the children were taken out of the feeding table and placed on cots for naptime.

7307-A.1: Mastercard

Not Met

7307-A.1: A record shall be maintained on each child to include child's information form (mastercard) listing the child's name, birth date, sex, date of admission, name and phone number of child's physician and dentist, dietary restrictions, and allergies; signed and dated by the parent.

Finding:

7307-A.1 Based on record review/interview/observation the provider failed to maintain a record on each child to include child's information form (mastercard) listing the child's name, birth date, sex, date of admission, name and phone number of child's physician and dentist, dietary restrictions, and allergies; signed and dated by the parent.

FINDINGS INCLUDE:

Specialist review of the children's mastercards indicated the provider failed to have a mastercard for (3) of the (9) children in the infant/toddler room. (S1) was asked to pull all of the children's files (mastercards) for the children in the infant room. (S1) was questioned by specialist as to where were (3) of the (9) files and she stated, "I don't have them."

7307-A.2: Emergency Medical Treatment

Not Met

7307-A.2: A record shall be maintained on each child to include parental authorization to secure emergency medical treatment.

Finding:

7307-A.2 Based on record review/observations the provider failed to have a record on each child to include parental authorization to secure medical treatment for (3) of the (9) children who were present in the center.

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7307-A.3: Third Party Release

Not Met

7307-A.3: A record shall be maintained on each child to include signed agreements between the provider and the parent for each child giving permission to release the child to a third party listed by the parent including any other child care facilities or transportation services. A child shall never be released to anyone unless authorized in writing by the parent.

Finding:

7307-A.3 Based on record review/observations the provider failed to maintain a record on each child to include signed agreements between the provider and the parent for each child giving permission to release the child to a third party listed by the parent including any other child care facilities or transportation services.

FINDINGS INCLUDE:

Specialist review of children's files indicates the provider failed to have a third party release for (3) of (9) infants/toddlers in the infant room.

7307-D: Recordings and Taping

Not Met

7307-D: The provider utilizing any type of recordings or taping of children including but not limited to digital recordings, videotaping, audio recordings, web cam, etc. shall obtain documentation signed and dated by the parent indicating their awareness of such recordings.

Finding:

7307-D Based on record review the provider failed to have a signed and dated authorization form from the parent indicating their awareness of the recordings and/or tapings of their children for (3) of (9) children's files.

7312-C: Annual Review

Not Met

7312-C: All staff, including substitutes and foster grandparents, shall have a signed and dated checklist/statement that the following topics are annually reviewed:

- center policies and practices including health and safety procedures;
- emergency and evacuation plan;
- supervision of children;
- discipline policy;
- job description;
- individual needs of the children enrolled;
- detecting and reporting child abuse and neglect;
- current Child Day Care Class "A" Minimum Standards;
- confidentiality of information regarding children and their families.

Finding:

7312-C Based on record review the provider failed to have a signed and dated checklist statement (annual review) for (S3-DOH: 10/11/11). As (S3) should have received her annual review on or before 10/11/12.

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7315-A: Child-to-Staff Ratio

Not Met

7315-A: Child/staff ratios are established to ensure the safety of all children. Only those staff members directly involved in child care and supervision shall be considered in assessing child/staff ratio. Child/staff ratios shall be met at all times as the number of children supervised by one staff person shall not exceed the ratios as indicated below; however, there shall always be a minimum of two child care staff present during hours of operation when children are present:

Ages of Children	Child/Staff Ratio
Infants under 12 months	5:1
One year old	7:1
Two year old	11:1
Three year old	13:1
Four year old	15:1
Five year old	19:1
Six year old and up	23:1

An average of the child/staff ratio may be applied to mixed groups of children ages two, three, four, and five. Ratios for children under two or over five years old are excluded from averaging. When a mixed group includes children less than two years of age, the age of the youngest child determines the ratio for the group to which the youngest child is assigned. When a mixed group includes children both older and younger than six years old and older, the ages of the children less than six determine the ratio for the group. During naptime, required staffing shall be present in the center to satisfy child/staff ratios.

Finding:

7315-A Based on record review/observations: The provider failed to ensure child/staff ratios were met in the 22 month to 2 year old classroom. As upon arrival at 9:15 am specialists observed that there were 11- 22 month to 2 year old children (10-2 year old children and 1-22 month old child (C1) with one staff (S1) in classroom #3 located behind the director's office. (S1) advised specialist that all the children in this classroom were 2 years old. Specialist review of children's mastercard indicates there was 1-22 month old child (C1) amongst the group of 2 year old children. Specialists then observed (S5), who was initially seen outside moving a recalled infant crib off of the premises, enter the building through the back door and begin supervising the (11) children in this room. Also, at 9:24 am specialist observed (S6) arrive and begin supervising the children in this room.

7315-C: Consistency of Care

Not Met

7315-C: A designated number of children shall relate daily to a designated staff on a regular and consistent basis.

Finding:

7315-C Based on observations the provider failed to have a designated number of children relate daily to a designated staff on a regular and consistent basis. Upon arrival at 9:15 am, specialist observed (S1) moving children ages 1-3 years old from one classroom to another in efforts to satisfy child-to-staff ratio. As (S1) was observed holding the children by their wrists and moving them, as they were crying, from one room to the other.

7323-A.2: Indoor 35 Square Feet

Not Met

7323-A.2: A minimum of at least 35 square feet per child of indoor space shall be available. The space shall not include toilet facilities, hallways, lofts, storage or food preparation areas, or offices. Any room counted as play space shall be available for play during play hours. If rooms are used exclusively for dining or sleeping, they cannot be included in the licensed capacity.

Finding:

7323-A.2 Based on observations the provider failed to have a minimum of at least 35 square feet of indoor space per child.

FINDINGS INCLUDE:

- Specialist observed there were 11-2 year old children in Room #3 which is licensed for 9 children.
- Review of children's sign in/sign out log reflects on February 27, 2013 there were 43 children signed into the center and on February 28, 2013 there were 42 children signed into the center as being present. The center's licensed capacity is 41 children.

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7325-L: Appropriate Sleeping Arrangements

Not Met

7325-L: Individual and appropriate sleeping arrangements shall be provided for each child. Each child shall be provided with a cot, mat, or crib (baby bed) of appropriate size, height, and material, sufficient to ensure his/her health and safety. Each infant shall have a crib separated from all other cribs (non-stackable). Playpens shall not be substituted for cribs.

Finding:

7325-L Based on observations/interviews made during licensing visit on 3/5/13, the provider failed to have appropriate sleeping arrangements for each child in care to ensure his/her health and safety as evidenced by the presence and/or use of recalled cribs on the childcare premises. As (1) out of (3) cribs observed by the licensing specialist on the premises did not meet the U.S. Consumer Product Safety Commission (CPSC) requirements for full-size cribs as defined in 16 Code of Federal Regulations (CFR) 1219, and/or non full-size cribs as defined in 16 Code of Federal Regulations (CFR) 1220. As upon arrival, specialist observed staff (S4 and S5) pushing the recalled infant crib from the play yard, through the play yard gate, and across the parking lot to the adjacent parking lot. Also, upon arrival specialist observed (4) infants in the infant room with only the (2) remaining cribs. While specialist was in the center, (S1) admitted to calling 2 infant (C4 and C5) parents to pick up their children to avoid being cited for having inappropriate sleeping arrangements. Between the times of 10:20 am and 10:52 am (C4 and C5) were picked up from the center. -On today's visit to the center specialist observed the center is equipped with (5) infant cribs did meet the U.S. Consumer Product Safety Commission (CPSC) requirements for full-size cribs as defined in 16 Code of Federal Regulations (CFR) 1219, and/or for non full-size cribs as defined in 16 Code of Federal Regulations (CFR) 1220.

7327-G: Electrical Plug Covers

Not Met

7327-G: Unused electrical outlets shall be protected by a safety plug cover.

Finding:

7327-G Based on observations the provider failed to protect unused electrical outlets with safety plug covers.

FINDINGS INCLUDE:

-Specialist observed there was an uncovered outlet located in the back of the infant room between the two cribs, there was another in the 3 year old classroom located on the left hand wall, another outlet was uncovered in the vacant room located next to the 3 year old classroom, and another was observed in the 2 year old classroom without an outlet or plate covering the exposed electrical socket.

7327-L: Clean of Hazards

Not Met

7327-L: The center and yard shall be clean and free from hazards.

Finding:

7327-L Based on observations the center was not clean and free of hazards:

FINDINGS INCLUDE:

-Specialist observed in the 2 year old classroom, on the right hand side of the room, there was an exposed electrical outlet and no plate covering the outlet. Also, the exposed outlet had approximately a half inch space between the sheet rocked wall and the actual electrical socket. While in the center, specialist observed a 2 year old child sticking her finger into the half inch gap, and the provider was advised to immediately cover the exposed electrical outlet.
-Also, in the 2 year old classroom on the right hand side of the room there was a dead roach on the floor near the baseboard.
-In the dining area of the center there are food spills and stains on all four of the walls in this room.
-In the vacant room located near the 3 year old classroom there is a torn children's sofa with the stuffing exposed, and it could be harmful if swallowed by a child.
-In the 3 year old classroom there is a crack in the plastic 3-tiered storage unit, and the crack could pinch a child's finger if he/she were to stick their finger into the cracked plastic.

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7328.D: Evacuation Pack

Not Met

7328.D: If evacuation of the center is necessary, provider shall have an evacuation pack and all staff shall know the location of the pack. The contents shall be replenished as needed. At a minimum, the pack shall contain the following:

list of area emergency phone numbers;
list of emergency contact information and emergency medical authorization for all children enrolled;
written authorization signed and dated by the parent noting the first and last names of individuals to whom the child may be released other than the parent(s);
first aid kit;
hand sanitizer;
wet wipes;
tissue;
diapers if children enrolled who are not yet potty trained;
plastic bags;
battery powered flashlight;
battery powered radio;
batteries;
food for all ages of children enrolled, including infant food and formula;
disposable cups; and
bottled water.

Finding:

7328.D Based on observations the provider failed to have an evacuation pack to include the following:

- diapers for the children enrolled who are not yet potty trained
- food for all ages of children enrolled, including infant food and/or formula for the infants

7328.H.1: Tornado Drills

Not Met

7328.H.1: Tornado drills shall be conducted at least once per month in the months of March, April, May, and June. Drills shall be conducted at various times of the day to include all children (children attending on certain days only and/or at certain times only) and shall be documented. Documentation shall include:

date and time of drill;
number of children present;
problems noted during drill and corrections noted; and
signatures (not initials) of staff present.

NOTE: For additional information contact the Office of Emergency Preparedness (Civil Defense) in your area.

Finding:

7328.H.1 Based on record review the provider failed to conduct a tornado drill for the months of March 2012, May 2012 and June 2012.