

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 documentation that 2 of 4 staff, (S1 and S3) have properly completed the state central registry disclosure form (SCR1) annually as required by ACT 388 of the 2009 regular legislative session. S1 completed the form on 01/07/2013 but indicated that she has a justified (valid) finding of abuse and/or neglect. S1 stated that she made a mistake in completing the form and completed a new form during the visit. S3 completed the form on 01/07/2013 but did not indicate if she had a justified (valid) finding of abuse and/or neglect. S3 was present on the premises for the week of 03/11/2013 to 03/15/2013.

Statement of Deficiencies

7305-A: License Displayed

Not Met

7305-A: A Louisiana child care license with current information and current expiration date shall be on display in an area accessible to and regularly used by parents and visitors, except for church affiliated centers (LRS 46:1408.D) that choose to keep the license on file and available upon request.

Finding:

7305-A Based on record review, the provider exceeded the capacity indicated on the current license.

FINDINGS INCLUDE:

The provider is licensed to care for 23 children. A review of the child attendance logs for June, July and August 2012 indicated that the provider exceeded the licensed capacity of 23 children on the following dates:

- On 06/13/2012, the provider was overcapacity between 9:15 AM and 3:10 PM with as many as 26 children present in the center at one time.
- On 06/20/2012, the provider was overcapacity between 8:30 AM and 4:00 PM with as many as 26 children present in the center at one time.
- On 06/27/2012, the provider was overcapacity between 8:31 AM and 3:30 PM with as many as 28 children present in the center at one time.
- On 06/28/2012, the provider was overcapacity between 8:38 AM and 3:39 PM with as many as 28 children present in the center at one time.
- On 07/12/2012, the provider was overcapacity between 9:00 AM and 12:35 PM with as many as 24 children present in the center at one time.
- On 07/16/2012, the provider was overcapacity between 9:30 AM and 2:45 PM with as many as 25 children present in the center at one time.
- On 07/19/2012, the provider was overcapacity between 9:00 AM and 2:09 PM with as many as 24 children present in the center at one time.
- On 07/20/2012, the provider was overcapacity between 9:00 AM and 2:16 PM with as many as 24 children present in the center at one time.

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/interview(s), the provider lacked required documentation of current commercial liability insurance for the operation of the center to ensure medical coverage for children in the event of accident or injury.

FINDINGS INCLUDE:

The provider stated that they have obtained a new insurance policy but have not yet received documentation of the new policy.

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 center's daily attendance record for children did not accurately reflect the children on the child care premises at any given time.

FINDINGS INCLUDE:

At approximately 8:30 AM on 03/18/13, specialists observed 7 children present but only 6 children signed into the children's attendance log.

A random review of children's attendance logs reflected that on 08/01/12, 08/02/12, 08/03/12, 08/06/12, 08/09/12, 08/10/12, 08/13/12, 08/16/12 and 08/22/12, the provider altered the children's attendance record by erasing time of arrival and departure and parent's signatures. The provider stated that parents will sometimes sign children in on the attendance log when they are not present assuming another family member will bring the child in later. If the children erased on 08/01/12, 08/02/12 and 08/03/12 were included in the attendance it would exceed the provider's licensed capacity of 23.

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 specialists observed one and two year olds placed in bucket seats on a feeding table for 80 consecutive minutes.

FINDINGS INCLUDE:

Upon arrival in the center at approximately 8:30 AM, specialists observed four one to two year old children in bucket seats eating breakfast. The children remained in the bucket seats until approximately 9:50 AM while staff read books to the children.

Statement of Deficiencies

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, 3 of 5 children's records reviewed lacked the required information on the Child's Information Form (MasterCard).

FINDINGS INCLUDE:

The records for C1, C2 and C3 lacked a date of admission.

7321-K: Incidents and Accidents

Not Met

7321-K: Incidents, injuries and accidents shall be documented. Documentation shall include name of child, date and time of incident, location where incident took place, description of how incident occurred, part of body involved, and actions taken. Documentation of all incidents/injuries/accidents shall include time of parental notification and signature of person notifying the parent. The parent or designated person shall be notified immediately in the following situations:

- blood not contained in an adhesive strip;
- head injury;
- human bite which breaks the skin;
- any animal bite;
- an impaled object;
- broken or dislodged teeth; or
- any injury requiring professional medical attention.

Finding:

7321-K Based on record review, the provider did not have documentation of incidents of injuries and accidents.

FINDINGS INCLUDE:

The provider stated that they did not have any incidents or accidents to document for the licensure year. Specialist observed that S1 documented notes for C4. The notes indicated C4 hit a child on 02/15/13, 02/22/13 and 03/04/13. There was no incident report to document the name of the child who was hit, time of incident, location where incident took place, part of body involved, and actions taken. The provider also failed to have documentation which included the time of parental notification and signature of person notifying the parent.

7323-A.3: Indoor - Room Capacity

Not Met

7323-A.3: For indoor space, the number of children using a room shall be based on the 35 square feet per child requirement except for group activities such as film viewing, parties, dining and sleeping.

Finding:

7323-A.3 Based on record review, the center did not have a minimum of 35 square feet of indoor play space per child.

FINDINGS INCLUDE:

The provider is licensed to care for 23 children. A review of the child attendance logs for June, July and August 2012 indicated that the provider exceeded the licensed capacity of 23 children on the following dates:

- On 06/13/2012, the provider was overcapacity between 9:15 AM and 3:10 PM with as many as 26 children present in the center at one time.
- On 06/20/2012, the provider was overcapacity between 8:30 AM and 4:00 PM with as many as 26 children present in the center at one time.
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- On 07/16/2012, the provider was overcapacity between 9:30 AM and 2:45 PM with as many as 25 children present in the center at one time.
- On 07/19/2012, the provider was overcapacity between 9:00 AM and 2:09 PM with as many as 24 children present in the center at one time.
- On 07/20/2012, the provider was overcapacity between 9:00 AM and 2:16 PM with as many as 24 children present in the center at one time.

Statement of Deficiencies

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, 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 a recalled crib(s) on the childcare premises. 3 of 3 cribs observed by the licensing specialist 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.

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 yard was not free of hazards.

FINDINGS INCLUDE:

Specialists observed rusty nails sticking out of the bottom border of the fence in the play area. A child could cut or scratch themselves on the nails.