

## Statement of Deficiencies

### 1103-A-E: Critical Incidents and Required Notification

Not Met

1103-A-E: An early learning center shall make immediate notification to emergency personnel, law enforcement as applicable, and other appropriate agencies for the following types of critical incidents involving children in care:

1. death;
  2. serious injury or illness that required medical attention;
  3. reportable infectious diseases and conditions listed in LAC 51.II.105; and
  4. any other significant event relating to the health, safety, or well-being of any child, including but not limited to a lost child, an emergency situation, fire or other structural damage, or closure of the center.
- B. The parent shall be contacted immediately following any immediate notifications made under Subsection A.
- C. The Licensing Division and other appropriate agencies shall be notified via email within 24 hours of the incident.
- D. The Licensing Division shall be notified by written report within 24 hours of the incident or the next business day. This written notification shall be made on the Licensing Division's Critical Incidents Report Form and shall contain all information requested on the form.
- E. Reporting deadlines may be adjusted in the event of a natural catastrophe and/or disaster, as determined by the Department.

#### Finding:

1103-A-E Based on interview(s): The provider failed to immediately notify the Parent, O1, of the following critical incident: On 04/11/2018. S1 stated S2 pulled C1 off of the floor by one arm while yelling at him. S1 stated no staff informed O1 that the incident occurred on via phone or when O1 picked C1 up on 04/11/2018. S1 completed a critical incident report and faxed it to Licensing Section during the licensing visit on 04/12/2018. S1 also called O1, during the licensing visit, to inform her about the incident. S2 was terminated 04/12/2018.

### 1509-A.8. a-b: Behavior Management Policy

Not Met

1509-A.8. a-b: Behavior Management Policy

Each center shall develop and implement a written behavior management policy describing the methods of behavior guidance and management that shall be used at the center.

The behavior management policy shall prohibit children from being subject to any of the following:

- i. physical or corporal punishment which includes but is not limited to yelling, slapping, spanking, yanking, shaking, pinching, exposure to extreme temperatures or other measures producing physical pain, putting anything in the mouth of a child, requiring a child to exercise, or placing a child in an uncomfortable position.
- ii. verbal abuse, which includes but is not limited to using offensive or profane language, telling a child to "shut up", or making derogatory remarks about children or family members of children in the presence of children;
- iii. the threat of a prohibited action even if there is no intent to follow through with the threat;
- iv. being disciplined by another child;
- v. being bullied by another child;
- vi. being deprived of food or beverages;
- vii. being restrained by devices such as high chairs or feeding tables for disciplinary purposes; and
- viii. having active play time withheld for disciplinary purposes, except timeout may be used during active play time for an infraction incurred during the playtime.

#### Finding:

1509-A.8. a-b Based on interview(s):

S2 used a prohibited method of discipline as a C1 was subject to physical punishment and verbal abuse on 04/11/2018. According to interviews, S2 was seen picking C1 by his right arm with causing his feet to leave the floor and yelling, "I told you not to do that". S2 was terminated on 04/12/2018.

### 1717-A: Independent Contractors Records

Not Met

1717-A: Independent Contractors. The following information shall be maintained for all independent contractors, including but not limited to therapeutic professionals, extracurricular personnel, contracted transportation drivers, Department of Education, Office of Early Childhood staff and local school district staff:

1. an information form that includes the person's name, address and phone number
2. a list of duties performed while present at the center; and
3. documentation of a fingerprint based satisfactory criminal background check dated prior to the individual being present at the center or documentation of the paid, adult staff member not otherwise counted in child to staff ratios that accompanied the contractor at all times while the contractor was on the center premises, to include the date, contractor arrival and departure time, language stating that the contractor was accompanied by the staff member at all times while on the premises, and the signature of both the contractor and the accompanying staff member.

#### Finding:

1717-A Based on record review:

Provider did not have documentation of a fingerprint based satisfactory criminal background check dated prior to the individual being present at the

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center for independent contractors O2 and O3. O2 was in the center on 12/20/2017 and 12/27/2017. O3 was on the center on 05/13/2017. Provider did not have documentation on file for Independent Contractors that included person's name, address, phone number, list of duties performed while at the center.

### 1915-B.&C: Health Services - Parental Notification

**Not Met**

1915-B.&C:

B. Reporting. Incidents, injuries, accidents, illnesses, and unusual behavior shall be documented and reported to the parent no later than when the child is released to the parent or authorized representative on the day of the occurrence.

C. Immediate Notification. The parent shall be immediately notified in the following circumstances:

1. blood not contained in an adhesive strip;
2. head or neck or eye injury;
3. human bite that breaks the skin;
4. animal bite;
5. impaled object;
6. broken or dislodged teeth;
7. allergic reaction skin changes (e.g. rash, spots, swelling, etc.);
8. unusual breathing;
9. symptoms of dehydration;
10. temperature reading over 101° oral, 102° rectal, or 100° axillary; or
11. injury or illness requiring professional medical attention.

### Finding:

1915 B & C Based on record review/interview: The Provider did not have documentation of immediate notification to the parent when the following occurred to C2. Incident occurred on 04/11/2018, according to S1, "somewhere between 11:45am and 12:00pm because the children were just gone down for nap". S1 stated C1 "stuck a bead" up his nose. S1 stated they were able to get the bead out of C2's nose. S1 stated C2's parent was notified verbally when C2 was picked up for the day.