

## Statement of Deficiencies

### 1103.A.-D.: Critical Incidents and Required Notifications

Not Met

1103.A.-D.: 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 department and other appropriate agencies shall be notified via email within 24 hours of the incident.
- D. The department 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 department's Critical Incidents Report Form and shall contain all information requested on the form.

#### Finding:

1103.C.-D.:Critical Incidents and Required Notifications: Based on record review/interview(s) on 6/24/2021 at 12:00pm, S1 failed to notify within 24 hours of the incident to the Department and Child Welfare of the following critical incident: On 6/19/2021 at 7:56pm, S1 received a text message with a picture of a child in the center, with his hands covered with socks, and taped around the sleeve at his wrist. On 6/20/2021 at 11:11am, O1 sent a text message to S1 identifying C1 (two-years-old) as the child in the picture, and asked why his wrist were taped. She also questioned allegations made by S14 that S2 placed C2 (three-years-old) on her knees in the office and S3 pulled C2's ear. S1 notified the Department and Child Welfare on 6/24/2021.

Corrective Action Plan: Effective 6/24/2021, S1 stated rather than refer all administrative duties to the center's home office, she will submit within 24 hours all details of allegations of inappropriate behavior management to the Department and Child Welfare, as appropriate, to ensure this deficiency is not recited.

### 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.: Behavior Management Policy: Based on record review/interview(s) on 6/24/2021 at 11:51am, although the center has a behavior management policy that prohibits physical punishment, staff used this prohibited method of discipline. On date unknown, C1 (two-years-old) was subjected to physical punishment, when socks were taped around the sleeve of his clothing at the wrist, to prevent him from sucking his fingers. O1 stated four to six months prior, she instructed S2 socks could be used on C1's hands as a prevention, but did not approve tape to be used to secure the socks. S2 (DOH 7/27/2020) and S3 (DOH 5/7/2020) are both still employed in the center.

Corrective Action Plan: Effective 6/24/2021, S1 stated she will have all individual behavior plans signed and dated by staff and parent. It will be followed according to what is written, to ensure this deficiency is not recited.

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### 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.: Health Services - Parental Notification: Based on record review/interview(s) on 6/24/2021 at 2:00pm, S1 failed to make immediate notification to the parent after an incident occurred to C1 (two-years-old). S1 documented on 3/22/2021, C1 fell outside causing a mark on his forehead at 4:30pm, and O1 was notified at 4:35pm. However, O1 text messaged S1 that same day at 5:22pm, after C1's pickup, with a picture of a bump and scratches on C1's head asking what happened.

Corrective Action Plan: Effective 6/24/2021, S1 stated she will review this regulation with all staff to ensure they are informing the Directors to when there is an injury to the head, mark or no mark, so that the parent can be immediately notified, to ensure this deficiency is not recited.