

## Statement of Deficiencies

### 5303.C.4: Notification of Changes

Not Met

5303.C.4. The Bureau shall be notified prior to making changes which may have an effect upon the license, e.g., age range of children served, usage of indoor and outdoor space, director, hours/months/days of operation, transportation, etc.

#### Finding:

7303.C.4. (Old Tag 5303.C.4.) The Director did not notify the Bureau prior to making changes that had an effect on the license as hours of operation were noted as 6am to 11pm and center has consistently been open before 6am, as early as 5:30am; therefore center has been operating during a time frame in which they were not license. Director has completed a change form and will be making changes for her hours of operation.

### 5305-H: Children's Daily Attendance

Not Met

5305.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. (Old Tag 5305.H.) The daily attendance log for children did not always include the time of departure of each child and the name of the person to whom the child was released.

### 5305-I: Staff Attendance

Not Met

5305.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. (Old Tag 5305.I.) The center's staff daily attendance record did not accurately reflect persons on the child care premises at any given time as evidenced by director's failure to sign the time in and out for the day of 7/18/08 - part of complaint conducted in conjunction with survey, as well as for today for director who had signed in and out, but not back in.

### 5307-A.1: Mastercard

Not Met

5307.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. (Old Tag 5307.A.1.) Of 8 children's records reviewed, the following required information on the Child's Information Form (MasterCard) as the following information was omitted date of admission in 6 records, phone number of child's physician in 2 records, dentist in 1 record, and 2 of the records were not signed and dated by parent.

### 5307-A.2: Emergency Medical Treatment

Not Met

5307.A.2. A record shall be maintained on each child to include parental authorization to secure emergency medical treatment.

#### Finding:

7307.A.2. (Old Tag 5307.A.2.) [ 2 ] of [ 8 ] children's records reviewed did not contain parental authorization to secure emergency medical treatment.

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### 5307-A.3: Third Party Release

Not Met

5307.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. (Old Tag 5307.A.3.) [ 2 ] of [ 8 ] children's records reviewed did not contain 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 the non-custodial parent, or any other child care facilities, transportation services.

### 5307-A.4: Transportation Permission

Not Met

5307.A.4. A record shall be maintained on each child to include signed agreements between the provider and the parent to transport the child. Daily trip authorization shall include name of child, type of service (i.e., to and from home, to and from school), parent's signature and date.

**Finding:**

7307.A.4. (Old Tag 5307.A.4.) In children's records reviewed for schooler children, none contained signed agreements between the Provider and the parent to transport children. Director stated she has only received 1 back from the parents; center transported 6 children back from school today.

### 5311-A.2: Reference Checks

Not Met

5311.A.2. A record for each paid and non-paid staff person, including substitutes and foster grandparents shall be on file at the center. Personnel record shall include documentation of three current, positive reference checks or telephone notes signed and dated. These references shall be obtained from persons not related to the employee.

**Finding:**

7311.A.2. (Old Tag 5311.A.2.) Documentation of three current, positive non related reference checks or telephone notes signed and dated was not available for 2 staff.

### 5311-A.4: Health Statement

Not Met

5311.A.4. A record for each paid and non-paid staff person, including substitutes and foster grandparents shall be on file at the center. Personnel record shall include a written statement of good health signed by a physician or designee. Health statement dated within three months prior to offer of employment or within one month after date of employment is acceptable. A health statement is required every three years. Originals shall be presented upon request.

**Finding:**

7311.A.4. (Old Tag 5311.A.4.) Health records to include documentation of good health, signed by a physician or designee were not available for 4 staff.

### 5311-A.5: Criminal Record Check

Not Met

5311.A.5. A record for each paid and non-paid staff person, including substitutes and foster grandparents shall be on file at the center. Personnel record shall include documentation of a satisfactory criminal record check, as required by R.S.15:587.1. Provider shall request this clearance prior to the employment of any center staff. A criminal record clearance is not transferable from one employer to another. No staff with a criminal conviction of a felony, a plea of guilty or nolo contendere of a felony, or any offense of a violent or sexual nature, or any offense involving a juvenile victim shall be employed in a Class "A" child care center.

**Finding:**

7311.A.5. (Old Tag 5311.A.5.) Documentation of a satisfactory criminal record check, as required by Louisiana R.S. 15:587.1, was not timely available for 5 of 10 staff. A current criminal check is received, but these persons worked prior to the center receiving this clearance.

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### 5312-B: Quarterly Training

Not Met

5312.B. The director shall conduct, at a minimum, one staff training session/meeting every three months. Documentation shall consist of the date of the training session, training topics, and signatures (not initials) of all staff in attendance.

#### Finding:

7312.B. (Old Tag 5312.B.) Provider lacked documentation that the director conducted one staff training session each three month quarter consisting of dated minutes of the training sessions including training topics and signatures (not initials) of staff in attendance. Last documented meeting was held on 10/4/07.

### 5312-E.1: CPR

Not Met

5312.E.1. A minimum of at least 50 percent of all staff on the premises and accessible to the children at all times shall have documentation of current infant/child/adult certification in CPR. Original cards shall be made available upon request. This training shall be approved by the Department of Social Services prior to acceptance.

#### Finding:

7312.E.1. (Old Tag 5312.E.1.) The Provider did not have documentation that at least fifty percent (50%) of all staff on the premises and accessible to the children have current approved Infant/Child/Adult certification in CPR. [ 0 ] of [ 2 ] staff had documentation of this certification at night and 1 of 4 had documentation during day time

### 5312-E.3: PFA

Not Met

5312.E.3. A minimum of at least 50 percent of all staff on the premises and accessible to children shall have documentation of current pediatric first aid certification. Original cards shall be made available upon request. This certification shall be approved by the Department of Social Services prior to acceptance.

#### Finding:

7312.E.3. (Old Tag 5312.E.3.) The Provider did not have documentation that at least 50 percent of the staff on the premises and accessible to children at all times has current approved Pediatric First Aid training. [ 0 ] of [ 2 ] staff at night had documentation of this certification.

### 5313-A: Authorization to Participate in Water Activities

Not Met

5313.A. The provider shall obtain written authorization from the parent for the child to participate in any water activity. The statement shall describe all types of water activities provided and the authorization shall be updated at least annually and shall list the child's name, type of water activity, location of water activity, parent's signature and date.

#### Finding:

7313.A. (Old Tag 5313.A.) In all children's files reviewed, the provider's authorization for water activities was incomplete as the following information was omitted: [type of water activity]].

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### 5313-B: CPR, Pediatric First Aid, Community Water Safety Training

Not Met

5313.B. On-site and off-site wading/swimming pool, or other water activities shall require at least two staff or other supervising adults to be trained in infant/child/adult CPR and pediatric first aid. One supervising adult shall be trained in an approved community water safety course. Providers who have wading pools with a depth of less than two feet shall not be required to have a staff with community water safety training.

-If children are taken to off-site water activities, documentation shall be on file at the center that the director has verified that the supervising adult meets the above requirements or the lifeguard on duty is currently certified.

-The provider shall ensure that appropriate water safety devices are used when children are participating in water activities.

#### Finding:

7313.B. (Old Tag 5313.B.) For [off-site] [other water activity], the provider lacked documentation that at least two supervising staff or other supervising adults are certified in [Infant/Child/Adult CPR certification and Pediatric First Aid certification]. Specialist is unable to determine for center failed to keep a log of who attended this trip, and since not all staff have CPR and PFA, specialist is unable to verify that a second staff went and that the staff had this training.

### 5315-A: Child-to-Staff Ratio

Not Met

5315.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. (Old Tag 5315.A.) Provider did not have at a minimum of 2 child care staff present during hours of operation when children were present as one staff was supervising 17 children until 7am today, and for the day of the complaint 1 staff was supervising 6 children until 7:22am and from 9am to 9:12am, 1 staff was supervising 12 children.

### 5319-D: Posted Menu

Not Met

5319.D. Current weekly menus for meals and snacks listing specific food items served shall be prominently posted. Menu substitutions shall be recorded on or near the posted menu.

#### Finding:

7319.D. (Old Tag 5319.D.) The specific food items on the posted menu were not always specific as noted as exemplified by the generic terms fruit and juice noted.

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### 5319-N.2: Baby Food

Not Met

5319.N.2. Baby food shall be in the original unopened container and labeled with the child's name or initials.

**Finding:**

7319.N.2. (Old Tag 5319.N.2.) All baby food was not labeled with child's name or initials.

### 5323-B.3: Outdoor - Enclosed

Not Met

5323.B.3. The outdoor play space lacked an enclosure with a fence or other barrier in such a manner as to protect the children from traffic hazards, to prevent the children from leaving the premises without proper supervision, and to prevent contact with animals or unauthorized persons.

**Finding:**

7323.B.3. (Old Tag 5323.B.3.) The outdoor play space lacked an enclosure with a fence or other barrier in such a manner as to protect the children from traffic hazards, to prevent the children from leaving the premises without proper supervision, and to prevent contact with animals or unauthorized persons. Specialist observed gaps under the fence that reach approximately 7 inches deep. At this depth, a medium sized dog could enter the yard, or maybe a small child could leave the premises if not properly supervised.

### 5325-A: Functional Telephone

Not Met

5325.A. A working telephone capable of incoming and outgoing calls shall be available at all times and readily available at the center. Coin operated telephones or cellular telephones are not acceptable for this purpose.

**Finding:**

7325.A. (Old Tag 5325.A.) There was not a functional, readily available telephone capable of incoming and outgoing calls at all times at the center. As part of the complaint, on day of complaint, center phone had 2 lines and one was not working properly. If the center was on the line and one tried to call it would ring and ring and no machine would pick up to let person calling know that someone was on the other line or be able to leave a message - it gave the appearance no one was there or no one was answering the phone. Director stated this has been fixed since then.

### 5325-F: Appropriate Equipment and Materials

Not Met

5325.F. All equipment and materials shall be appropriate to the needs and ages of the children enrolled.

**Finding:**

7325.F. (Old Tag 5325.F.) The provider did not have equipment and materials appropriate to the needs and ages of the children enrolled as specialist observed the following movies in the center: Willy Wonka and the Chocolate Factory and Shrek 2 both rated PG and Beauty Shop rated PG-13.

### 5325-L: Appropriate Sleeping Arrangements

Not Met

5325.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. (Old Tag 5325.L.) There was not individual and appropriate sleeping arrangements provided for all children as specialist observed a child sleeping on the floor. Director noted he was a drop in and he was a big kid and would not fit the cots she had. She will now get him a mat or two.

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### **5325-Q: Labeled Sheets and Blanket for Covering**

**Not Met**

5325.Q. A labeled sheet or blanket shall be provided by either the provider or the parent for covering the child.

**Finding:**

7325.Q. (Old Tag 5325.Q.) The Provider nor the parent provided a labeled sheet or blanket for covering the child.

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### **5325-T: Infant Bed Railings**

**Not Met**

5325.T. Infant bed railings shall be in the up and locked position at all times when the child is in the bed.

**Finding:**

7325.T. (Old Tag 5325.T.) Infant bed railings were not in the up and locked position at all times when the child was in the bed. Specialist observed an infant in a crib in which one of its sides was not in its required up and locked position.

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### **5327-A: Locked Harmful Substances and Equipment**

**Not Met**

5327.A. Prescription and over-the-counter medications, poisons, cleaning supplies, harmful chemicals, equipment, tools and any substance with a warning label stating it is harmful or that it should be kept out of the reach of children, shall be locked away from and inaccessible to children. Whether a cabinet or an entire room, the storage area shall be locked.

**Finding:**

7327.A. (Old Tag 5327.A.) Prescription and over-the counter medications, poisons, cleaning supplies, harmful chemicals, equipment, tools, and any substance with a warning label stating it is harmful to or that it should be kept out of the reach of children were not locked away from children as evidenced by the following: in the infant room disinfectant spray, hand sanitizer, lotion on the shelf not locked away; in the main room - disinfectant spray and wipes; in the far room - disinfectant spray on the shelf not locked away and in the bathroom adjacent to this room - disinfectant spray in the cabinet not locked away.

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### **5327-L: Clean of Hazards**

**Not Met**

5327.L. The center and yard shall be clean and free from hazards.

**Finding:**

7327.L. (Old Tag 5327.L.) The center and yard were not free of hazards as evidenced by the following:  
in the center: hole in the wall in the main room with exposed sheet rock (choking, harmful substance hazard); thumbtacks within reach of the children in the main room (sharp point);  
in the outdoor play yard: wood chips as soft surface reaches approximately 10 inches at some points, could be used as a weapon to poke other children and increases likelihood of splinters; glass on the ground (near the ac unit and the left rear gate); garden hose (tripping hazard); and some of the nail tips on the fence bent down are not bent down enough where children could still puncture their skin if they played with them.

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### 5327-O: Fire Drills

Not Met

5327.O. Fire drills shall be conducted at least once per month. These shall be conducted at various times of the day and night (if nighttime care is provided) and shall be documented. Documentation shall include:

- date and time of drill;
- number of children present;
- amount of time to evacuate the center;
- problems noted during drill and corrections noted; and
- signatures (not initials) of staff present.

#### Finding:

7327.O. (Old Tag 5327.O.) The Provider did not have documentation on file that fire drills were conducted at least monthly at various times of the day and night (if nighttime care is provided). The last documented fire drill was November 2007.

### 5327-P: Visual Check of Center

Not Met

5327.P. The entire center shall be checked after the last child departs to ensure that no child is left unattended at the center. Documentation shall include date, time, and signature of staff conducting the visual check.

#### Finding:

7327.P. (Old Tag 5327.P.) The Provider did not document that the entire center is checked at the end of the day to ensure that no child is left unattended at the center.

### 5331-A: Transportation Arrangement Conforms to State Laws

Not Met

5331.A. Transportation arrangements shall conform to state laws, including seat belts and child restraints.

#### Finding:

7331.A. (Old Tag 5331.A.) The Provider's transportation arrangements did not conform to state laws, including seat belts and child restraints as director stated her daily transportation (at time of incident completed in conjunction with survey) and currently includes children ages 5 and up and the children age 5 use a seat belt; they do not use a booster seat that is required by state law. Also specialist observed center van license plate expired 6/30/08.

### 5331-B: Single Safety Belt

Not Met

5331.B. Only one child shall be restrained in a single safety belt.

#### Finding:

7331.B. (Old Tag 5331.B.) Provider did not restrain only one child in a single safety belt as center exceeded their vehicular capacity during 2 field trips taken (7/11/08 and 7/30/08; therefore not all child was able to be have a single safety belt.

### 5331-G: Capacity of Vehicle

Not Met

5331.G. The number of persons in a vehicle used to transport children shall not exceed the manufacturer's recommended capacity.

#### Finding:

7331.G. (Old Tag 5331.G.) The Provider exceeded the manufacturer's recommended capacity in the vehicle as evidenced by [ 12 ] children and [ 2 ] adults transported in a [ 12 ] passenger vehicle during field trip taken on 7/11/08 and [10] children and [3] adults transported in a [12] passenger vehicle during field trip taken on 7/30/08.

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### 5331-I: Liability Insurance

Not Met

5331.I. The provider shall maintain in force at all times current commercial liability insurance for the operation of center vehicles to ensure medical coverage for children in the event of accident or injury. This policy shall extend coverage to any staff member who provides transportation for any child in the course and scope of his/her employment. 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, the name of the insurance company, policy number, period of coverage and explanation of the coverage. If transportation is provided by parents for field trips or transportation is provided by contract, whether daily or field trip, a copy of the current liability insurance shall be maintained on file.

#### Finding:

7331.I. (Old Tag 5331.I.) The Provider did not assume responsibility for payment of medical expenses of a child injured while in the provider's care as center's auto liability coverage did not include either auto medical payments or uninsured motorists to verify children would be covered at any potential accident.

### 5331-J: Safety Inspection

Not Met

5331.J. The vehicle shall have evidence of a current safety inspection. In lieu of a visual inspection of a contracted vehicle, a signed statement by the agency representative verifying the expiration date of the current inspection is acceptable.

#### Finding:

7331.J. (Old Tag 5331.J.) The vehicle(s) did not have evidence of a current safety inspection. Inspection expired 7/31/08.

### 5333-A: Parental Authorization for Field Trips

Not Met

5333.A. The provider shall maintain a signed parental authorization for each field trip. Field trip authorization shall include the type of service (contract vehicle, center owned vehicle, parent vehicle) used to transport children, event, location, child's name, date and time of event, parent's signature and date.

#### Finding:

7333.A. (Old Tag 5333.A.) In children's files reviewed, the provider did not maintain a signed parental authorization for field trips taken on 6/25/08, 6/26/08 and 7/1/08.

### 5333-C: Record of Field Trips

Not Met

5333.C. The provider shall maintain a record of all field trips taken, to include date and destination, list of passengers (children, parents, staff) (going & returning) and method of transportation.

#### Finding:

7333.C. (Old Tag 5333.C.) The Provider did not maintain a record of all field trips taken; center did not complete record on trip taken on 8/1/08.

### 5333-F: Vehicles Visual Check

Not Met

5333.F. The driver or staff person shall check the vehicle and account for each child upon arrival and departure at each destination to ensure no child is left on the vehicle or at any destination. Documentation shall include the signature of the person conducting the check and the time the vehicle is checked for each loading and unloading of children.

#### Finding:

7333.F. (Old Tag 5333.F.) The Provider did not have documentation that the driver or a staff person checked the vehicle at the completion of each trip for trip taken on 7/31/08 and for the trip taken on 8/4/08, there was no signature for each check completed.



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### 5335-D: Master Transportation List

**Not Met**

5335.D. Each driver or attendant shall be provided with a current master transportation list including each child's name, pick up and drop off locations, and authorized persons to whom the child may be released. Documentation shall be maintained on file at the center whether provided by center or contract.

**Finding:**

7335.D. (Old Tag 5335.D.) The provider did not have documentation that the driver or attendant was provided with a master transportation list. Transportation is provided by [center].

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### 5339-A: NTC - Staff-in-Charge

**Not Met**

5339.A. There shall be a designated "staff-in-charge" employee who is at least 21 years of age.

**Finding:**

7339.A. (Old Tag 5339.A.) The Provider did not have a designated staff-in-charge employee. Neither staff noted they were the staff in charge and neither one was 21 years of age, one was 19 and the other 20 as they stated.

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### 5339-D: NTC - Bedding Required

**Not Met**

5339.D. Each child shall have a separate, age appropriate bed or cot with mat or mattress covered by a sheet for each child, as well as a covering for each child (bunk beds are not allowed).

**Finding:**

7339.D. (Old Tag 5339.D.) A separate, age appropriate bed or cot with a mat or mattress covered by a sheet was not provided for each child as specialist observed a 3 year old child lying down on a cot with a blanket and did not have a sheet or mat and a 4 year old child lying down on a cot and did not have a cover, mat or a sheet.

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