

## 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: Provider failed to have documentation of a completed state central registry disclosure form (SCR 1) on site and available for review at the center as required by ACT 388 of the 2009 regular legislative session.

\*1 staff, S7, failed to have documentation of the completed form. Staff was on the premises on 8/22/12 as verified by staff attendance logs.

\*1 staff, S6 failed to have documentation of the form, updated annually. The form on file for S6 is dated 4/4/11. S6 was on the premises on 8/24/12 as verified by staff attendance logs.

## Statement of Deficiencies

### 7303-F: Required Notification

Not Met

7303-F: Within 24 hours or the next workday, the director shall notify the Bureau of the following reportable incidents. A verbal report is to be followed by a written report:

1. any death of a child while in the care of the provider;
2. any illness or injury requiring hospitalization or professional medical attention other than first aid of a child while in the care of the provider;
3. any fire;
4. any structural disaster;
5. any emergency situation that requires temporarily relocating children;
6. any unusual situation which affects the care of a child or children, e.g. child left unsupervised in the center, on the van, in play yard, on field trip, extended loss of power, water service, gas, etc.; or
7. any child leaving the center unsupervised or with an unauthorized person.

#### Finding:

7303-F Based on record review/interview(s): Within 24 hours or the next workday, the director did not notify the Bureau of the following reportable incident: -Any illness or injury requiring hospitalization or professional medical attention other than first aid of a child while in the care of the provider. \*On 4/24/12, a child ran into another child on the playground, hitting his nose. This child was immediately picked up by his parent and taken to the doctor for treatment.

### 7305-D: Department of Health

Not Met

7305-D: The provider shall have documentation of yearly sanitation inspection and current approval from the Office of Public Health, Sanitarian Services. If food is catered or transported, approval is needed from the health department.

#### Finding:

7305-D Based on record review: The Provider lacked documentation of a current annual inspection and approval from the Office of Public Health, Sanitarian Services.

### 7305-E: State Fire Marshal

Not Met

7305-E: The provider shall have documentation of yearly safety inspection and current approval from the Office of State Fire Marshal.

#### Finding:

7305-E Based on record review: The Provider lacked documentation of a current annual fire safety inspection and approval from the Office of State Fire Marshal. The inspection on file is dated 8/9/12 however approval was not given. There is a correction date of 9/5/12 on this report.

### 7328.G.1: Fire Drills

Not Met

7328.G.1: Fire drills shall be conducted at least once per month. 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;
- amount of time to evacuate the center;
- problems noted during drill and corrections noted; and
- signatures (not initials) of staff present.

The Licensing Section recommends that at least one fire drill every six months be held at rest time.

#### Finding:

7328.G.1 Based on record review:

The provider's documentation of fire drills was incomplete and drills were not conducted once per month.

\*The center failed to have documentation of conducting a fire drill during the months of March and May 2012.

\*The center's documentation of the fire drill conducted 4/30/12 failed to include: the number of children present and the amount of time to evacuate.

## ***Statement of Deficiencies***

### **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/interview(s): The provider failed to have documentation of conducting tornado drills during the months of March, April and May 2012. The facility is closed during the month of June.

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