

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/observations:

Provider did not 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 of 9 staff, S8 did not have documentation of the completed form. Staff was observed on the premises during the licensing visit. Per S1, 12/17/13 is S8's first day on the premises.

Statement of Deficiencies

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:

The Provider did not have 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.

7305-F: City Fire Department

Not Met

7305-F: The provider shall have documentation of yearly safety inspection and current approval from the City Fire Department (if applicable).

Finding:

7305-F Based on observations: The Provider did not have documentation of a current annual safety inspection and approval from the City Fire Department. Last inspection expired 11/30/13.

7305-I: Staff Attendance

Not Met

7305-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 Based on record review:

The Provider did not maintain documentation of a daily attendance record for the owner, to include the time of arrival and departure.

7311-A.1: Staff Information Form

Not Met

7311-A.1: 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 an application and/or a staff information form with the following:

- name
- date of birth;
- address and telephone number;
- previous training/work experience;
- educational background; and
- employee's starting and termination date.

Finding:

7311-A.1 Based on record review: The Provider did not have an application/staff information form for staff 1 of 9: S8.

7311-A.2: Reference Checks

Not Met

7311-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 Based on record review: Documentation of three current, positive non related reference checks or telephone notes signed and dated was not available for staff 2 of 9: S6 and S8.

Statement of Deficiencies

7311-A.3: Job Descriptions

Not Met

7311-A.3: 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 written job descriptions for every position at the center.

Finding:

7311-A.3 Based on record review: The Provider did not have documentation of a job description for 6 of 9 staff. S1, S2, S3, S7, S8 and S9. Corrected during the visit.

7311-A.4: Health Statement

Not Met

7311-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 Based on record review: Health records to include documentation of good health, signed by a physician or designee were not available for 2 of 9 staff: S7 and S8.

7311-A.5: Criminal Record Check

Not Met

7311-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 from Louisiana State Police as required by R.S. 46:51.2. This check shall be obtained prior to the individual being present in the child care facility. No person who has been convicted of, or pled guilty or nolo contendere to any offense included in R.S. 15:587.1, R.S. 14:2, R.S. 15:541 or any offense involving a juvenile victim, shall be eligible to own, operate, and/or be present in any capacity in any licensed child care facility. For any owner or operator, a clear criminal background check in accordance with R.S. 46:51.2 shall be obtained prior to the issuance of a license or approval of a change of ownership. In addition, neither an owner, nor a director, nor a director designee shall have a conviction of, or pled guilty or nolo contendere to any crime in which an act of fraud or intent to defraud is an element of the offense. An individual who applies for a position of supervisory or disciplinary authority over children in a child care facility may provide a certified copy of their criminal background check obtained from the Louisiana Bureau of Criminal Identification and Information Section of the Louisiana State Police. If an individual provides a certified copy of their criminal background check obtained from the Louisiana State Police to the provider, this criminal background check shall be accepted by the department for a period of one year from the date of issuance of the certified copy. A photocopy of the certified copy shall be kept on file at the facility in which the individual is currently employed. However, prior to the one year date of issuance of the certified criminal background check, the provider shall request and obtain a satisfactory criminal check from Louisiana State Police in order for the individual to continue employment at the center. If the clearance is not obtained by the provider prior to the one year date of issuance of the certified criminal background check, the staff person is no longer allowed on the child care premises until a clearance is received.

Finding:

7311-A.5 Based on record review: Documentation of a satisfactory criminal record check from Louisiana State Police as required by R.S. 46:51.2. was not obtained prior to 1 of 9 staff, S8, being present in the child care facility. S8 was observed on the premises during the licensing visit.

7312-E.1: CPR

Not Met

7312-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 Based on record review: 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. 3 of 8 staff had documentation of this certification.

Statement of Deficiencies

7312-E.3: PFA

Not Met

7312-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 Based on record review: 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. 3 of 8 staff had documentation of this certification.

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 immediate notification to the parent or designated person when the following occurred to a child: hit in the face with a toy. Incident occurred at 11:50am on 12/2/13 and there was no documentation of the time of parental notification.

7328.A & B: Emergency Preparedness and Evacuation Plan

Not Met

7328.A & B: The director, in consultation with appropriate state or local authorities, shall establish and follow a written multi-hazard emergency and evacuation plan to protect children in the event of an emergency. The plan shall include shelter in place, lock down situations, and evacuations with regard to natural disasters, man-made disasters, and attacks while children are in care. The plan shall be appropriate for the area in which the center is located and address any potential disaster due to that particular location. The plan shall be reviewed with all staff at least twice per calendar year. Documentation evidencing that the plan has been reviewed with all staff shall include staff signatures and date reviewed. At a minimum, the plan shall be reviewed annually by the director for accuracy and updated as changes occur. Documentation of review by the director shall consist of the director's signature and date. The plan shall also include information regarding handling children with special needs enrolled in the child care center as well as instructions for infants through children age two. The plan shall specifically address the evacuation and transportation of children in wheelchairs. The plan shall include but shall not be limited to a system to account for all children whether sheltering in place, locking down, or evacuating to a pre-determined relocation site. The plan shall include a system and backup system to contact parents or authorized third party release caretakers of children notifying them of the emergency situation (how and when parents will be notified). The plan shall include a system to reunify children and parents following an emergency. Parents shall be informed of the details of this emergency plan prior to an emergency event.

The multi-hazard emergency and evacuation plan shall include lock down procedures for situations that may result in harm to persons inside the child care center, including but not limited to a shooting, hostage incident, intruder, trespassing, disturbance, or any situation deemed harmful at the discretion of the director, or public safety personnel. The director shall announce the 'lock down' over the public address system or other designated system. The alert may be made using a pre-selected code word. In a 'lock down' situation, all children shall be kept in classrooms or other designated safe locations that are away from the danger. Staff members shall account for children and ensure that no one leaves the classroom/safe area. Staff shall secure center entrances and ensure that no unauthorized individual leaves or enters the center.

Staff and children shall remain in the classroom/safe area, locking the classroom door, turning off the lights, and covering the windows. Staff shall encourage children to get under tables, behind cabinets, etc., and, if possible, engage in quiet story time activities with the children until 'all clear' is announced.

Parent or authorized representative shall be notified no later than at the time of pick-up at the child's release of a 'lock down' situation at the center on the date of the occurrence.

Finding:

7328.A & B. Based on observations: The director did not have a written multi-hazard emergency and evacuation plan to protect children in the event of an emergency.

Statement of Deficiencies

7328.D: Evacuation Pack

Not Met

7328.D: If evacuation of the center is necessary, provider shall have an evacuation pack and all staff shall know the location of the pack. The contents shall be replenished as needed. At a minimum, the pack shall contain the following:

- list of area emergency phone numbers;
- list of emergency contact information and emergency medical authorization for all children enrolled;
- written authorization signed and dated by the parent noting the first and last names of individuals to whom the child may be released other than the parent(s);
- first aid kit;
- hand sanitizer;
- wet wipes;
- tissue;
- diapers if children enrolled who are not yet potty trained;
- plastic bags;
- battery powered flashlight;
- battery powered radio;
- batteries;
- food for all ages of children enrolled, including infant food and formula;
- disposable cups; and
- bottled water.

Finding:

7328.D Based on observations: The provider did not have an evacuation pack in the event that evacuation of the center is necessary.

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: The provider did not have documentation that a tornado drill was conducted in the months of March and June.