

05/02/2023

Sheena Keeler
610 N Elm ST
Creston, IA 50801

Dear Child Care Provider:

This letter is in regards to the compliance visit at your Registered Child Development Home B conducted on 04/26/2023. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home. Your home is rated a 1 on the voluntary Quality Rating and Improvement System. The following areas were out of compliance at the time of the visit:

441 IAC 110.7**Provider Requirements**

441 IAC 110.7(2)

Substitutes. The provider shall assume responsibility for providing adequate and appropriate supervision at all times when children are in attendance. Any designated substitute shall have the same responsibility for providing adequate and appropriate supervision. Ultimate responsibility for supervision shall be with the provider

- a. All standards regarding supervision and care of children apply to substitutes.
- b. Except in emergency situations, the provider must inform parents in advance of the planned use of a substitute.
- c. The substitute must be 18 years of age or older.
- d. Use of a substitute is limited to: No more than 25 hours per month. An additional period of up to two weeks in a 12-month period. (These limitations do not apply per Iowa Code Section 237A.3A(3)(e) when the provider is engaged in jury duty or official duties related to provider's membership on state board, committee or policy-related body.)
- e. The provider maintains a written record of the number of hours substitute care is provided, including the date and the name of the substitute.

441 IAC 110.8(1)**Facility Requirements**

441 IAC 110.8(1) "h"

The home shall have at least one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway. Each smoke detector shall be installed according to manufacturer's recommendations. The provider shall test each smoke detector monthly and keep a record of testing for inspection purposes

441 IAC 110.8(4)**Emergency Plans**

441 IAC 110.8(4) "a"

Fire and tornado drills shall be practiced monthly and the provider shall keep documentation evidencing compliance with monthly practice on file for the current year and the previous year.

441 IAC 110.9

Files

441 IAC 110.9(1)**A provider file is maintained and shall contain the following:**

441 IAC 110.9(1)“ a”

A physician's examination report for the provider and all members of the provider's household aged 18 years or older. Acceptable physical examinations shall be documented on Form 470-5152, Child Care Provider Physical Examination Report. All children residing in the household must have medical documentation outlined in 110.9(4) “d”, 110.9(4) “f”, and 110.9(4) “g”

441 IAC 110.9(4)

Children's Files. An individual file for each child shall be maintained and updated annually or when the provider becomes aware of changes. The file shall contain:

- a. Identifying information including, at a minimum, the child's name, birth date, parent's name, address, telephone number, special needs of the child, and the parent's work address and telephone number.
- b. Emergency information including, at a minimum, where the parent can be reached, the name, street address, city and telephone number of the child's regular source of health care, and the name, telephone number, and relationship to the child of another adult available in case of emergency.
- c. A signed medical consent from the parent authorizing emergency treatment.
- d. An admission physical examination report signed by a licensed physician or designee in a clinic supervised by a licensed physician
 1. The date of the physical examination shall not be more than 12 months before the child's first day of attendance at the child development home.
 2. The written report shall include past health history, status of present health, allergies and restrictive conditions, and recommendations for continued care when necessary.
 3. For a child who is five years of age or older and enrolled in school, a statement of health status signed by the parent or legal guardian may be substituted for the physical examination report.
 4. The examination report or statement of health status shall be on file before the child's first day of care
- e. For children under the age of 6, a statement of health condition signed by a physician or designee submitted annually from the date of the admission physical. For a child who is enrolled in school, a statement of health status signed by the parent or legal guardian may be substituted for the physician statement.
- f. For each school-age child, on the first day of attendance, documentation of a physical examination that was completed at the time of school enrollment or since.
- g. A signed and dated immunization certificate provided by the state department of public health. For the school-age child, a copy of the most recent immunization record shall be acceptable.
- h. For any child with allergies, a written emergency plan in the case of an allergic reaction. A copy of this information shall accompany the child if the child leaves the premises.
- i. Documentation that is signed by the parent and names persons authorized to pick up the child. The authorization shall include the name, telephone number, and relationship of the authorized person to the child.
- j. Written permission from the parent for the child to attend activities away from the child development home.
- k. Injury report forms documenting injuries requiring first aid or medical care
- l. If the child meets the definition of homelessness as defined by section 725(2) of the McKinney-Vento Homeless Education Assistance Act, the family shall receive a 60-day grace period to obtain medical documentation.

441 IAC 110.14**SPECIFIC REQUIREMENTS FOR CHILD DEVELOPMENT HOME CATEGORY "B"**

441 IAC 110.14(1) “a”

No more than eight children not attending kindergarten or a higher grade level shall be present at any one time

Findings:

441 IAC 110.14(1) "a" No more than eight children not attending kindergarten or a higher grade level shall be present at any one time

****Provider had 9 preschool aged children at arrival to the home. While compliance staff was present a 10th preschool aged child was dropped off. The provider reported that she had taken two extra children on this date. Discussion with the provider regarding the number of preschool aged children that are allowed in her Category B home.**

The provider maintains a written record of the number of hours substitute care is provided, including the date and the name of the substitute.

**** The provider reported that her substitute has not been at her home for a long time and has rarely covered for her. The provider did not have any documentation of these coverage hours. Compliance staff had attempted a compliance check of the home on March 23, 2023 and the substitute Lori was present covering for the provider. There was no documentation of this coverage time. Also compliance staff noted on March 23rd, that the substitute was not informed of where files are located for the childcare home. The provider was informed that the substitute is responsible for the childcare and knowledge of the policies and practices of the childcare provider.**

441 IAC 110.8(1)"h" The home shall have at least one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway. Each smoke detector shall be installed according to manufacturer's recommendations. The provider shall test each smoke detector monthly and keep a record of testing for inspection purposes

****The provider needs to ensure that smoke detectors are installed according to the directions at the top of both of her stairways. The provider reported the smoke detector for the highest level of the home should have been sitting on a shelf. Compliance staff did not see the smoke detector on observation of the top level of the home. A second smoke detector that should be at the top of the stairway coming from the basement to the main level of the home, was sitting on a ledge between the basement and the main level of the home. This smoke detector should be installed at the top of the stairway.**

****Provider also reported that she was not aware that she needed to retain the previous years' documentation of smoke detector checks.**

441 IAC 110.8(4) "a" Fire and tornado drills shall be practiced monthly and the provider shall keep documentation evidencing compliance with monthly practice on file for the current year and the previous year.

****Provider did not have documentation monthly practice for at least 12 months. Provider reported that she was unaware that she needed to retain the previous information.**

441 IAC 110.9(1)"a" A physician's examination report for the provider and all members of the provider's household aged 18 years or older . Acceptable physical examinations shall be documented on Form 470-5152, Child Care Provider Physical Examination Report. All children residing in the household must have medical documentation outlined in 110.9(4) "d", 110.9(4) "f", and 110.9(4) "g"

****Not all family members, two of them also assistants, had up to date physicals. A physical is good for three years for those household members who are at least 14 years of age.**

441 IAC 110.9(4) Children's Files

****Not all child care files have an emergency consent to treat form. This is important to have on every child in your childcare. In the event of an emergency, this form gives you, the provider, the access to grant emergency treatment prior to a parent or guardian arriving to a scene.**

****School aged child files are in need of the parent consent to treat form. For the files that have a signed physical, the parents can fill out the identified form in lieu of a physical.**



Iowa Department of Health And Human Services

Kim Reynolds
Governor

Adam Gregg
Lt. Governor

Kelly K. Garcia
Director

Suggestions/Recommendations:

The main concern for your childcare home is the number of preschool aged children you had in your home. Your category B home cannot go over 8 preschool aged children at any time. Even with assistants or a substitute in your home with you, the law is very clear that no more than 8 children will be in your care that are ages 0 to the day before they start Kindergarten at any time. The only time you can go over the number of 8 children is if you have up to 4 children that are at least in Kindergarten. Just a reminder that you do need an assistant if those additional school aged children are in your home on non-school days.

If you are found to be over numbers in the future, that could lead to a revocation of your registration.

Compliance staff will need picture documentation that the smoke detectors are installed at the top of the stairway coming from the basement and also that the top floor smoke detector is reinstalled. These pictures can be texted to 712-435-0576 or sent by email to sburris@dhs.state.ia.us They should be received by May 31, 2023.

We discussed documentation of monthly drills and smoke detector checks. Do retain the year of 2023 documentation until your inspection in 2024.

For all files of family members and children in your childcare, ensure that all files are up to date with physicals and immunizations annually. Also you need to ensure that you have a consent to treat form for each child in care or the signed contract that identifies each child in each family file.

Corrective Action Required:

Please let me know if you have any questions or need any assistance.

Non-compliance with any of the mandated requirements listed above may lead to the cancellation or revocation of your Child Development Home Registration. Please take whatever steps are necessary to completely address each of the violations noted above. It is essential you correct all above-mentioned violations.

Please do not hesitate to contact me at DHS at 712-435-0576 sburris@dhs.state.ia.us if you have any questions regarding this letter.

Sincerely,

Stacy Burris

Social Worker II

Sheila Aunspach

Social Work Supervisor

Always Remember:



Iowa Department of Health And Human Services

Kim Reynolds
Governor

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Lt. Governor

Kelly K. Garcia
Director

Child Care Resource and Referral is an excellent resource for providers to access training options and support in your area. You can reach Child Care Resource and Referral at 877-216-8481

As you plan your future trainings to meet your 24 hours of training requirement, please remember that you can access the approved training by going to http://www.dhs.state.ia.us/Consumers/Child_Care/Professional_Development.html

You may also access training at: <https://ccmis.dhs.state.ia.us/trainingregistry/>

All providers need to maintain compliance with rules set out in Iowa Administrative Code, Chapter 110, which includes: 441 IAC 110.5(1): Check with the appropriate authorities to determine how the following local, state, or federal laws apply to you: • Zoning code • Building code • Fire code • Business license • State and federal income tax • Unemployment insurance • Worker's Compensation • Minimum wage and hour requirements • OSHA • Americans with Disabilities Act (ADA).