Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Stevie's Busy Bees **Enrollment:** 65 **License ID:** 52114

Street: 4502 Avenue O STE 18 **City:** Fort Madison **IA** **Zip Code:** 52627 **County:** Lee

Mailing Address: 4502 AVE O STE 18

Mailing City: Fort Madison **IA** **Zip Code:** 52627

Director's Name: Stevie Bethurem **Center Phone Number:** 319-250-9108

On-Site Supervisors: Nicole Rife **E-Mail Address:** steviesbusybees@gmail.com

Date of Complaint: 01-02-2024 **Date of Visit:** 01-16-2024

[ ] Scheduled **[X]** Unannounced **[ ]** NA

[X] Non-Compliance with Regulations Found **[ ]** Compliance with Regulations Found

RECOMMENDATION FOR LICENSE

[X] NO CHANGES to licensing status recommended

[ ] PROVISIONAL license from **to**

[ ] SUSPENSION of License

[ ] REVOCATION of License

Complaint Details:

Did this complaint result in a serious injury? ☐ Yes ☒ No

Did this complaint result in a death to a child? ☐ Yes ☒ No

Summary of Complaint:

1. Carmen M. (daycare staff) is physically and verbally aggressive to children. Administration is aware of staff's concerns.
2. Food is being prepared at home and brought to the center.
3. The center has ants and roaches. The center rooms are not heated properly.
4. School age children are directed by Stevie to be unsupervised to run errands.
5. Sick children are allowed to stay in care.
6. Ratio is being violated.
7. Bottles are given to children in cribs.
8. Cot sheets are not being utilized.
9. Incident reports on staff's concerns with staff being aggressive with children both verbally and physically have not been documented on incident/injury reports.

Licensing Rules Relevant to the Complaint:

109.8(2)c Children between 18 months and 3 years of age may be combined, if appropriate to the developmental needs of the child. If a child under 2 years is combined, the staff ratio of 1 to 7 shall be maintained, otherwise staff ratio may be determined by the age of majority of the children in the group.

109.10 Center shall establish health policies, including criteria for excluding a sick child. Policies shall be consistent with the recommendations of the National Health and Safety Performance Standards.

109.10(10) Recording incidents: Parents shall be notified on the day of the incident involving a child that includes:Minor injuries.Minor changes in health status.Minor behavioral concerns.Incidents resulting in injury to a child.Shall be verbally notified immediately when there is:A serious injury to a child.An incident resulting in significant change in health status.An incident includes child being involved in inappropriate, sexually acting out behavior.A WRITTEN report, fully documenting every incident, shall be provided to the parent or authorized person. This should be completed by staff that witnessed the incident and retained in child file.Serious injuries and deaths must be reported to the Department within 24 hours.

109.11(3)a Center shall ensure that: Facility and premises are sanitary, safe, and hazard free. Adequate indoor and outdoor space is provided. The outdoor area shall include safe play equipment and area of shade. Sufficient space provided for dining. Sufficient lighting shall be provided. Sufficient ventilation. Sufficient heating. sufficient cooling. Sufficient bathroom and diapering facilities. Equipment, including kitchen appliances, are maintained so as not to result in burns, shock, or injury to children. Sanitation and safety procedures for the center are developed and implemented to reduce risk or injury or harm to children and reduce transmission of disease.

109.12(2)b Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. Mechanical restrains shall never be used. If part of a treatment plan for a child with a disability, staff shall receive training.

109.12(2)d No child is subject to verbal abuse, threats, derogatory remarks about child or child's family.

109.15(3)b Children under six months held or fed in sitting-up position.Bottles not propped for any child, given to a child in a crib or left sleeping with a bottle.Spoon feeding is adapted to developmental capabilities of child.

109.15(5) Food preparation and storage procedures are consistent with NHSPS.

Inspection Findings:

The determination of this report was based on information provided from OSS Rife, Director Bethurem and other staff. Licensing Consultant Salsbury and I conducted an unannounced complaint visit to the center on 1/16/24. We further reviewed documentation on site. We observed each room and the kitchen area and food storage. Multiple staff were interviewed in person by HHS Consultant Salsbury and Seibert. Two former staff also gave written statements.

1. 109.12(2)b Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. Mechanical restrains shall never be used. If part of a treatment plan for a child with a disability, staff shall receive training.
109.12(2)d No child is subject to verbal abuse, threats, derogatory remarks about child or child's family.

ALLEGATIONS: Two former staff members reported concerns with Stevie's Busy Bees and how children at the center were being treated.

The following incidents were reported: The first incident was when a child (LM) wouldn't lay down on a cot she kept getting up. Carmen grabbed her up and threw her down on the cot and smashed her head down in the cot. Administration was not able to find video on this incident.

Carmen allegedly grabbed BT by the wrist and had him in the air by one arm and put him in the corner in "cool down" I mentioned all this to Stevie & Nicole when it happened & they were going to look into it. HHS observed this on video. The child was not off the ground when staff took him across the room. NO VIOLATION

"Carmen grabbed a 9 month old, CW to sit him down and she slammed him down on his legs. He cried." Administration was not able to find video on this incident.

"EH, who is in the infant room, (11months old) was pulling DH hair and Carmen grabbed her up and put her in the highchair in time out for being a racist because she pulled on only his hair. She continued to call her a racist the rest of the day." Administration was not able to find video on this incident.

EV was standing up on the chair we had told her to sit down several times and she kept getting back up and standing Carmen said "I hope you fall and bust your head open I can't f###ing stand you wish I could punch you in the face." Administration was not able to find video on this incident.

DH was crying uncontrollably, which is common when he is not held. She was sitting in the rocking chair playing on her phone, ignoring him while I was changing another baby's diaper. She finally got up and said that she was tired of listening to him and that she would handle him herself. She snatched him up off the ground, tried to shove his bottle in his mouth, but he refused, so this upset her more, so then she got up and went to grab his bink and shoved that in his mouth. He continued to cry, and she eventually sat him in a highchair with some toys because she could not stand him crying. She sat back down in the rocking chair and continued on her phone. Administration was not able to find video on this incident.

LM was in the crawlers room. LM had a cot to sleep on and would not stay on it. Carmen became frustrated with her, so she picked her up and slammed her on the cot and kept pushing her face down until she gave up. I attempted to talk to Nicole and Stevie about the situation but was completely blown off. Administration was not able to find video on this incident.

Stevie and Nicole indicated they watched hours of video footage and did not see these issues occurring.

A current staff member Megan, reported an incident occurring with the same staff (Carmen) on 1/19/24, after HHS had visited regarding this complaint. She indicated she swung a one year old child up and sat her down forcibly. EH started crying and Carmen told her she was going to sit on her.

Two former staff and two current staff have reported concerns with Carmen's handling of young children. VIOLATION

The program is currently evaluating Carmen's job performance and she is not allowed to work alone in a room.

2. 109.15(5) Food preparation and storage procedures are consistent with NHSPS Allegation: Food is being prepared at home and brought to the center. Food is being served from McDonald's. Food on the menu is not on hand so menus are changed constantly.

Any food prepared off site is considered a vended meal because it is prepared outside of the facility which would be regulated by HHS and/ or DIA inspections. The facility where meals are prepared must be inspected. The center was cited in August and again in November for bringing in cooked food with no vendor agreement. CACFP rules state the following, "7 CFR 226.20(I) Sanitation. Institutions and facilities must ensure that in storing, preparing, and serving food proper sanitation and health standards are met which conform with all applicable State and local laws and regulations. Institutions and facilities must ensure that adequate facilities are available to store food or hold meals.
7 CFR 226.6(i)(3) The food service management company shall have Federal, State or local health certification for the plant in which it proposes to prepare meals for use in the Program, and it shall ensure that health and sanitation requirements are met at all times. In addition, the State agency may require the food service management company to provide for meals which it prepares to be periodically inspected by the local health department or an independent agency to determine bacteria levels in the meals being prepared. These bacteria levels shall conform to the standards which are applied by the local health authority with respect to the level of bacteria which may be present in meals prepared or served by other establishments in the locality. Results of these inspections shall be submitted to the institution and to the State agency."

On the date of the HHS visit new menus were observed. In October HHS addressed serving foods from unapproved vendors (McDonald's). The program indicates no food from McDonald's has been served since October. There is no evidence to suggest McDonald's has been served since October.

The only food issue observed on the visit were open boxes of cereal and contents not placed in sealed bags or containers. Consultant Salsbury provided consultation on this issue stating all open food should be placed in sealed containers or bags. Current staff reported food has been cooked off site in the owner's home and brought to the center. Center administration and all current staff indicate all food is made in the center kitchen. We discussed food issues have been covered many times with the center and rules on food preparation, storage and serving sent to the center. OSS Rife indicated she and another employee have had Serve Safe training and follow all food preparation, storage and sanitation rules. This is not currently occurring per all current staff report. No current staff reported foods being served did not meet CACFP guidelines. NO VIOLATION

3. 109.11(3)a Center shall ensure that: Facility and premises are sanitary, safe, and hazard free. Sufficient heating. Sanitation and safety procedures for the center are developed and implemented to reduce risk or injury or harm to children and reduce transmission of disease. ALLEGATION: The center has ants and roaches. Cock roaches are in the 2s room and staff had to kill them on the ground while kids were sleeping on the cots. Space heaters are in rooms because it’s so cold in the building the heat barely works.

Video footage was provided of a roach in the center from a previous employee. No bugs, including ants or roaches were observed by either CCNC Hayes, Consultant Salsbury or myself the date of the visit. No current staff reported seeing bugs within the past two months. Administration provided documentation from an exterminator proving the center had been treated in November 2023 due to cock roaches coming over the business next door. No ants or roaches were observed the day of the visit. No current employees reported a current issue of bug infestation. Administration provided documentation that an exterminator treated the program prior to the HHS visit. Although it was confirmed by administration the program did have roaches at one time, this was addressed by hiring an exterminator. Roaches or other bugs were not present the date of the unannounced visit. NO VIOLATION

ALLEGATION: The program is not properly sanitizing or disinfecting. The date of the visit OSS Rife explained they were utilizing a bleach water mixture for cleaning. She reported the mixtures were being utilized more than one day. She explained the mixture they were using the day of the visit were from the day before. The mixtures should be mixed daily. The issue could have been corrected the date of the visit had bleach been available to mix new bottles with the correct percentage of bleach to water.

Administration and HHS looked for bleach so new mixtures could be given to each classroom. Administration was unable to find bleach in the building during the HHS visit. CCNC Hayes provided information in the past regarding cleaning, disinfecting and sanitizing. VIOLATION

CCNC Hayes provided information to the center on appropriate sanitizing and disinfecting again on 2/6/24 per HHS request.

4. 109.10(16)a. The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision. ALLEGATION: School age children are directed by Stevie to be unsupervised to run errands.

A ten year old child was allowed on several occasions to retrieve items from other rooms or care for other children in care. Staff and administration admitted sometimes older children were allowed to go into younger children's rooms and would sometimes assist staff with the care of the younger children. Children in childcare should not be providing care to other children in the program. Allowing a child to leave a supervised area and go to other parts of the building on a regular basis to assist staff is not providing careful supervision. Older children cannot be placed in rooms with other children to assist with the care of the younger children. VIOLATION

Administration indicated they were not aware this was not allowed. They indicated they would discontinue this practice.

5. 109.10 Center shall establish health policies, including criteria for excluding a sick child. Policies shall be consistent with the recommendations of the National Health and Safety Performance Standards. ALLEGATION: Sick children are allowed to stay in care.

Two former employees both reported sick children with diagnoses of Hand, Foot and Mouth Disease were allowed to come to care. They did not report this issue at the time it occurred. All staff in the center the day of the visit were interviewed by Consultants Salsbury and Seibert. No current staff reported sick children are allowed to come to care while Ill.
No staff interviewed reported ill children being left in care. Two former employees indicated such in writing. However, these complaints were not made at the time and no other evidence indicates this practice is currently occurring. HHS asked Nicole to reach out to CCNC Hayes on 8/24/23 for assistance/consultation on exposure control, etc…. regarding illnesses. There is no information indicating current practices include children left at the center when ill. All current staff and administration interviewed reported all children's parents are notified immediately when illness is detected. By staff and administration reports this issue appears to have been resolved. There is no information indicating children were left in care after illness was detected. NO VIOLATION

6. 109.8(2)c Children between 18 months and 3 years of age may be combined, if appropriate to the developmental needs of the child. If a child under 2 years is combined, the staff ratio of 1 to 7 shall be maintained, otherwise staff ratio may be determined by the age of majority of the children in the group. ALLEGATION: Ratio is being violated.

Former staff indicated her child was often in a room with two year old children. She indicated the majority of children in the group were one year old, making the room over ratio. Current staff reported working over ratio on many occasions with one year old children. Consultant Salsbury and I discussed this at length with Stevie and Nicole. They indicated they did not understand the ratio rule. Ratio is being violated. Five or more children age 1 are being mixed with older children with one staff. VIOLATION

The center OSS reported the day of the visit this issue was being corrected.

7. 109.15(3)b Bottles not propped for any child, given to a child in a crib or left sleeping with a bottle. Bottles are given to children in cribs by staff, the OSS and Director. ALLEGATION: Two former staff and two present staff indicated bottles were given to babies in cribs.

This was verified by current staff members during the course of this complaint. VIOLATION

8. 109.12(4) Sufficient and safe indoor play equipment, materials, and furniture that conforms with CPSC or ASTM. Individual covered mats, beds, or cots, and appropriate bedding is provided for all children who nap. ALLEGATION: Cot sheets are not being utilized.

As licensing walked through the center, we observed a classroom did not have cot sheets. VIOLATION

9. 109.10(10) Recording incidents: Parents shall be notified on the day of the incident involving a child that includes: Minor injuries. Minor changes in health status. Minor behavioral concerns. Incidents resulting in injury to a child. A WRITTEN report, fully documenting every incident, shall be provided to the parent or authorized person. This should be completed by staff that witnessed the incident and

retained in child file.

ALLEGATION: An incident report was not written on a one year old child with a hematoma. The parent stated no incident report was given to her regarding this injury. The parent reported she asked to observe video tape, which was denied.

HHS reviewed photos of a large forehead hematoma. The child's mother indicated she took the child to a physician after work and no concussion was detected. These photographs were sent to CCNC Amy Hayes for review. I observed the signed incident report on this incident the date of the visit. NO VIOLATION

ALLEGATION: Two former employees indicated they observed several instances where a staff member Carmen was rough with young children. Both staff indicated they approached Stevie and Nicole about these matters. No incident reports were documented. Another current employee also reported the same. However, no incident reports were on file documenting these concerns even though administration met with her regarding the issues. Parents should be given the reports within 24 hours that the event occurred. VIOLATION

It should be noted administration and staff reported former employees suspected former staff or reporting these issues. Current staff and administration indicated the employees had a lengthy history of noncompliance including falling asleep while caring for children, leaving work unexpectedly and not providing diapers for their children. One staff reported a former staff had fallen asleep for an hour. OSS Rife addressed this with the staff who denied it at the time it occurred.

Special Notes and Action Required:

The center is on a Provisional License for other issues. They may access CCR&R IDPH, other area Directors, Director and staff cohorts and community meetings. While HHS Consultants were present CCNC Amy Hayes was conducting hand washing training in two rooms. The center should continue to access CCNC Hayes regarding health and safety matters.

HHS phoned CCNC Amy Hayes asking if she could provide consultation to the program regarding placing children in cribs with bottles. She indicated she would do so on 2/6/24.

CCR&R visited the center to provide consultation in January 2024. The program accessed CCR&R and Child Care Bureau Chief Todd Savage in February 2024 for consultation on center matters. This is duly noted.

Consultant's Signature:

Jill Seibert

Date:

02-16-2024