IOWA HHS **Iowa Department of Health And Human Services**

CHILD CARE COMPLIANT

Name of Provider	County	
Robin Garcia	Marshall	
Care Address	**City**	**Zip Code**
513 N 2nd ST	Marshalltown	50158
Mailing Address	**Mailing City**	**Mailing Zip Code**
513 N 2nd ST	Marshalltown	50158
Phone	**Email**	
641-351-1902		

Date of Complaint:	02/14/2024	**Date of Visit:**	02/16/2024

Type of Visit

[X] Scheduled [ ] Unannounced [ ] N/A

Compliance Regulation

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

Recommendation for Registration:

[X] No Changes to registration status recommended

[ ] Revocation of Registration

[ ] Cancellation of Child Care Assistance Provider Agreement

Category of Care:

[ ] Category A

[X] Category B

[ ] Category C (with no co-provider)

[ ] Category C (with co-provider)

[ ] Non-registered Child Care Home with CCA Provider Agreement

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:

The Department received a complaint alleging that provider Robin Garcia had been using inappropriate disciplinary practices including the withholding of food, and potential verbal threats. The complaint also reported that child care space was consumed with stacks of boxes and storage bags.

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Rule Basis and Findings of Complaint(s):

Rules:
110.8 "Conditions in the home shall be safe, sanitary, and free from hazards."
110.8(6) "No punishment is used which is humiliating or frightening..."
110.8(6) "No punishment or threat of punishment is associated with food or rest."

Findings:
A short notice scheduled visit was conducted with provider on 2/16/2024. Also in attendance at this visit was another HHS worker familiar with this provider and complaint.
Inappropriate Disciplinary Practices:
- Provider denies using any verbal threats to frighten or intimidate a child as a form of discipline. Provider admitted the child in question was having an out-of-control moment on the day in question with abundant screaming in the home.
- Provider denies any withholding of food as a disciplinary practice. Provider explained she provides care 24 hours and had kids coming and going during various times of the day. She reported having children sometimes sleeping through a meal time, or refusing to eat what's being offered to a meal, but has not withheld a meal as a result of behavior.
- During the time of our visit, and during an unannounced re-check I conducted on 3/12/2024, I observed children engaged in a mid-morning snack. Provider indicated if a child slept through a meal time, food would be made available to them at a later time. Children refusing to eat something offered are not forced to eat that, and would have the choice of other options.
- I have no evidence of non-compliance with regards to disciplinary practices.

Inappropriate Storage in Child Care Space:
- The other HHS worker was in the provider's home two days before our joint visit and directly observed 4-5 foot stacks of boxes and bags present in a couple of the child care rooms.
- The additional clutter had been removed by the time of our 2/16/2024 visit.
- Degree of non-compliance in the child care space is noted and has been corrected by the provider.

Resolution and Action Required:

I have no immediate evidence or observation of non-compliance with regard to improper disciplinary practices as reported in the complaint.

There is a degree of non-compliance with regard to improper storage of household items in boxes and garbage bags stacked in existing child care space. This has since been corrected per my observation on 2/16/2024.

A full annual spot check was conducted during the 2/16/2024 visit. Non-compliance unrelated to the complaint was discovered and is addressed in a separate report. Non-compliance items include: Unsafe infant sleeping directly observed by the other HHS worker, unapproved adult household member allowed to move into the home, need to post phone numbers, need to install a smoke detector in napping room, vet statement, dog feces in the basement, health statements for household members, mandatory reporter training, and several children's files. A safety plan has been put in place to address the safe sleep. A re-check was conducted on 3/12/2024, the more significant health/safety items have been addressed by provider. The Registration Unit is confirming many of the items with an ongoing renewal application.

Consultant's Signature:	Earl Crow	**Date of Visit:**	04/30/2024
Supervisor Signature:	Sheila Aunspach	**Date of Visit:**	04/30/2024