



Iowa Department of Human Services

Kim Reynolds
Governor

Adam Gregg
Lt. Governor

Kelly K. Garcia
Director

04/14/2020

Charmaine Young
628 McKinley AVE
Burlington, IA 52601

Dear Child Care Provider:

This letter is in regards to the compliance visit at your Registered Child Development Home A conducted on 04/14/2020. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home. You are not a participant in 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(1) The provider shall meet the following requirements:

- a. Gives careful supervision at all times.
- b. Exchange information with the parent of each child frequently to enhance the quality of care.
- c. Give consistent, dependable care and be capable of handling emergencies
- d. Be present at all times except when emergencies occur or an absence is planned, at which time care shall be provided by a department-approved substitute. When an absence is planned, the provider shall give parents at least 24 hours' prior notice.
- e. Shall be free of the use of illegal drugs and shall not be under the influence of alcohol or any of the prescription or non-prescription drug that could impair their ability to give careful supervision.

441 IAC 110.8 Standards. Conditions in the home are safe, sanitary, and free of hazards.

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

441 IAC 110.8(1) "i" Smoking and the use of tobacco products shall be prohibited at all times in the home and in every vehicle in which children receiving care in the home are transported. Smoking and the use of tobacco products shall be prohibited in the outdoor play area during the home's hours of operation. Nonsmoking signs shall be posted at every entrance of the child care home and in every vehicle used to transport children.

All signs shall include:

- 1. The telephone number for reporting complaints, and
- 2. The Internet address of the department of public health (www.iowasmokefreeair.gov)

441 IAC 110.8(1) "n" Providers shall inform parents of the presence of any pet in the home.

- 1. Each dog or cat in the household shall undergo an annual health examination by a licensed veterinarian. Acceptable veterinary examinations shall be documented on Form 470-5153, Veterinary Health Certificate. This examination shall verify that the animal's routine immunizations, particularly rabies, are current and that the animal shows no evidence of endoparasites (roundworms, hookworms, whipworms) and ectoparasites (fleas, mites, ticks, lice).
- 2. Each pet bird in the household shall be purchased from a dealer licensed by the Iowa department of agriculture and land stewardship and shall be examined by a veterinarian to verify that it is free of infectious diseases. Acceptable veterinary examinations shall be

documented on Form 470-5153, Veterinary Health Certificate. Children shall not handle pet birds.

3. Aquariums shall be well maintained and installed in a manner that prevents children from accessing the water or pulling over a tank.

4. All animal waste shall be immediately removed from the children's areas and properly disposed of. Children shall not perform any feeding or care of pets or cleanup of pet waste.

5. No animals shall be allowed in the food preparation, food storage, or serving areas during food preparation and serving times

441 IAC 110.8(1)“p” The provider shall have written policies regarding the care of mildly ill children and exclusion of children due to illness and shall inform parents of these policies.

441 IAC 110.8(2) Use of Outdoor Space

441 IAC 110.8(2) “a” A safe outdoor play area shall be maintained in good condition throughout the year. The play area shall be fenced off when located on a busy thoroughfare or near a hazard which may be injurious to a child, and shall have both sunshine and shade areas. The play area shall be kept free from litter, rubbish, and flammable materials and shall be free from contamination by drainage or ponding of sewage, household waste, or storm water.

441 IAC 110.8(3) Medications and Hazardous Materials

441 IAC 110.8(3)“b” A first-aid kit shall be available and easily accessible whenever children are in the child development home, in the outdoor play area, in vehicles used to transport children, and on field trips. The kit shall be sufficient to address first aid related to minor injury or trauma and shall be stored in an area inaccessible to children. The kit shall, at a minimum, include adhesive bandages, bottled water, disposable tweezers, and disposable plastic gloves.

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(1)“b”(2) Documentation from the department confirming the record checks required under 441 IAC 110.11(3) have been completed and authorizing or conditionally limiting the person's involvement with child care.

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.

Findings:

This worker smelled what appeared to be burnt marijuana when entering the childcare home today. This worker confronted Charmaine with this information. Charmaine denied using marijuana in the home but did self-admit to using marijuana at a friend's house one week ago. This worker reminded Charmaine that she was on a safety plan to not use any illegal drugs based on concerns last year (September 2019) that she was using marijuana through self-admission and this worker smelling burnt marijuana in her home. This worker also smelled what appeared to be burnt marijuana in one upstairs bedroom and one closet area during today's visit. No daycare children were present during today's visit; however Charmaine's own two children were present during the visit. This worker did not observe any smoking materials or paraphernalia in the home today. This is a repeated concern of non-compliance.

Charmaine needs to show documentation of a current physical for one dog on the Pet Health Certificate Form.

Charmaine needs to show documentation of her written policies of excluding a child from other daycare children if a child were to become sick while in her care. This is a repeated concern of compliance.

Charmaine needs to show documentation of her policies on how she would handle a daycare child experiencing a health-related emergency while in her care.

Charmaine needs to pick up minor trash in her front yard and cover her grills (x2) that are on her front porch. This is a repeated concern of compliance.

Charmaine needs to replace bandages and bottled water in her first aid kit.

Charmaine needs to show documentation of a current school-aged health status form for Jaziyan. This can be completed by her.

Charmaine needs to show documentation of a Background Check Approval Letter. One can be obtained from the central childcare registration unit if needed.

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:

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. Need updated parent signature and date on form for K.D.(2).

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. Need updated parent signature and date on form for K.D.(2).

A signed medical consent from the parent authorizing emergency treatment. Need updated parent signature and date on form for K.D.(2).

An admission physical examination report signed by a licensed physician or designee in a clinic supervised by a licensed physician. 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. The written report shall include past health history, status of present health, allergies and restrictive conditions, and recommendations for continued care when necessary. Need physical for M.H.,I.H., L.J.(2), L.J.(6 mos) - This requirement is waived due to COVID19 situation until 5/26/20.

A statement of health condition signed by a physician or designee submitted annually from the date of the admission physical.

Need updated physical for K.L. - This requirement is waived due to COVID19 situation until 5/26/20.

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. Need for L.J.(2). Need update for K.D.(2) - This requirement is waived due to COVID19 situation until 5/26/20.

A list 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. Need updated parent signature and date on form for K.D.(2).

Written permission from the parent for the child to attend activities away from the child development home. Need updated parent signature and date on form for K.D.(2).

Suggestions for Improvement:

Recommendation:

It is the recommendation of the Department of Human Services that the registration certificate of Charmaine Young be revoked and that she be prohibited from involvement in childcare due to repeated acts of non-compliance. The department cannot insure that Charmaine will discontinue use of illegal drugs as she has shown through repeated self-admission that she has used marijuana despite being on a departmental safety plan to refrain from any further usage.

Is the recommendation to terminate a provider agreement or revoke a registration?

Please do not hesitate to contact me at DHS at (319) 208-5521/creckli@dhs.state.ia.us if you have any questions regarding this letter.

Sincerely,

Chad Reckling

Social Worker II

Machelle Pezley

Social Work Supervisor

Always Remember:

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 563-324-3236

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).