



# Iowa Department of Human Services

Kim Reynolds  
Governor

Adam Gregg  
Lt. Governor

Kelly K. Garcia  
Director

08/14/2018

LaVaysha Magee  
253 S Central 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 08/14/2018. 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 110.8                      Standards. Conditions in the home are safe, sanitary, and free of hazards.

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

441 IAC 110.8(1) "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(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](http://www.iowasmokefreeair.gov))

**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(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(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.** 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 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 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.** 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.
- j.** Written permission from the parent for the child to attend activities away from the child development home. The permission shall include:
  - 1.** Times of departure and arrival.
  - 2.** Destination.
  - 3.** Persons who will be responsible for the child
- 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:

LaVaysha needs to update her documentation for her monthly smoke detector checks and fire and tornado drills as the July 2018 data is missing.

This worker observed evidence of used cigarettes in an ashtray in the upstairs bedroom of the childcare home and cigarette ashes in the bathroom tub upstairs. This worker confronted the childcare provider about it who stated that this used smoking materials were brought in from being smoked outside.

LaVaysha needs to remove Tiki Torch fuel canisters from the front porch area of her house.

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 update for L.T., M.A., M.G., M.T., C.T.

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 update for L.T., M.A., M.G., M.T., C.T.

A signed medical consent from the parent authorizing emergency treatment. Need update for L.T., M.A., M.G., M.T., C.T.

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 D.B., W.B.

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. Need school-aged health status form for L.T., C.T.

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 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 physician statement. Need updated physical for A.J., M.T.

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 update for M.T.

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 update for L.T., M.A., M.G., M.T., C.T.

## Suggestions for Improvement:

This worker observed men's shoes in the provider's open closet and asked the provider if there were any other household members residing with her or staying overnight in the home. The provider stated that there was not and that this individual will leave their shoes here and that he is not here during daycare hours or when daycare children are present. This worker repeated that this could not happen and that if this individual was here during daycare hours that they would need to be properly background checked by the Department.

## Recommendation:

Based on the items out of compliance listed above, you will be required to have a recheck or follow up visit to your home either on or after 10/3/18.

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

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.

Based on the items out of compliance listed above, you will be required to have a recheck or follow up visit to your home.

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](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).