

CHILD CARE CENTER COMPLAINT

Name of Center:	MercyOne Dubuque Child Development Ctr and PS	Enrollment:	256	License ID:	19216		
Street:	250 Mercy Dr	City:	Dubuque	IA Zip Code:	52001	County:	Dubuque
Mailing Address:	250 Mercy Dr						
Mailing City:	Dubuque	IA Zip Code:	52001				
Director's Name:	Jennifer Ware	Center Phone Number:	563-589-9680				
On-Site Supervisors:			E-Mail Address:	warejl@mercyhealth.com			

Date of Complaint: 09-02-2025**Date of Visit:** 09-09-2025☐ Scheduled ☒ Unannounced ☐ NA☒ Non-Compliance with Regulations Found ☐ Compliance with Regulations Found**RECOMMENDATION FOR LICENSE**☒ 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 ☒ NoDid this complaint result in a death to a child? ☐ Yes ☒ No**Summary of Complaint:**

It is alleged that staff Emma M. grabbed and swung a two year old child by the arm resulting in a bruise and a red mark on the inner left arm. This was reported to the center director, and staff Emma M. was sent home on suspension pending investigation of the incident.

Licensing Rules Relevant to the Complaint:

109.12(2)a-d The center shall not use as a form of discipline: Center does not use corporal punishment including spanking, shaking, or slapping. Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. Children shall never be locked in a room or closet. When restraints are part of a treatment plan for a child with a disability authorized by a parent and a psychologist or psychiatrist, staff shall receive training on the safe and appropriate use of the restraint. Punishment or threat of punishment associated with illness, toilet training, or food or rest is not to be used. No child is subject to verbal abuse, threats, derogatory remarks about child or child's family.

Inspection Findings:

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The center was visited on 9/9/25 by the licensing consultant and HHS worker Abbi Ryan to discuss the reported concerns with the center director, Jennifer Ware, Sue Meade, Vice President of Professional Service and Support for the hospital in which the center is located, and a staff who witnessed the incident. Jennifer, Sue, and the staff person were all familiar with what had occurred.

109.12(2)a-d The center shall not use as a form of discipline: Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. Punishment or threat of punishment associated with illness, toilet training, or food or rest is not to be used. VIOLATED

Jennifer stated the incident occurred on 9/2/25 at about 9:40am during snack time. Video of the incident was reviewed during this visit: The child kept standing up, and staff Emma M. is observed reaching across the table to sit the child down with her arm. The child continued to move around on the chair, and staff Emma M. gets up and goes around the table taking the child and plopping the child onto the chair. The child is then seen leaning backward and falling off the chair. Staff Emma M. is then seen harshly picking up the child by the left arm and swinging the child around to sit. The child is observed crying then as a result of the action. Jennifer spoke with the accused staff, Emma M., shortly after the incident, and staff Emma M. stated she was stressed and snapped, she knew it was wrong, and she was remorseful. Jennifer stated that staff Emma M. was dismissed from work at approximately 11am that day and her employment has been terminated. Jennifer stated she checked the child over and did not see an injury and that the child's parent also reported not seeing an injury, though, Jennifer stated staff mentioned seeing a possible bruise and red mark. Jennifer stated there had not been previous concerns for staff Emma M. and that she had worked at the center for about one and one half years. The staff who witnessed the incident stated staff Emma M. would sometimes get loud with the children but that nothing physical was ever witnessed before this incident. The staff stated after this incident, staff Emma M. apologized and said she knew that was a lot then stated she was going to use the restroom and take the food cart back. HHS Ryan later spoke with staff Emma M. who admitted she was wrong in what she did. She stated she was stressed out due to reasons outside of work. She denied anything like this had ever happened before. The center is cited with regard to this incident. Though the child was not injured, it is reasonable to assume that the child could easily have been injured and that this was not appropriate behavior for a child care provider.

Special Notes and Action Required:

The center took immediate action shortly after the incident occurred, and the employee was removed and terminated from employment at the center. There is not further action requested of the center related to this incident at this time.

Consultant's Signature:

Heidi Hungate

Date:

09-24-2025