

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: 07-29-2025

Date of Visit: 07-31-2025

☐ 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 Gretchen M. has physically forced a three year old child to lay on the cot by using her arms and legs to hold the child down for an unknown length of time on more than one occasion. Gretchen has become rough with the child by grabbing and swinging the child around. Gretchen would scream at and belittle the child. Gretchen has told staff that she doesn't like the child.

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 licensing consultant visited the center on 7/31/25 to discuss the reported concerns with the assistant director, Mary Dura, and another staff who had worked with the accused staff person for a long period of time. It is noted that the center director, Jennifer Ware, was not in work status at the time of the visit. It is further noted that Jennifer had already contacted the licensing consultant regarding the concern about the staff putting her arms and legs over the child during rest time, prior to this complaint call coming in. At that time, Jennifer stated she had become aware of this incident and that the center had planned to terminate the staff person's employment. Jennifer stated there were no injuries to the child. HHS worker Carrie Habel is also involved. Carrie visited the center as well and spoke with Mary and other staff and later spoke with Jennifer, staff Gretchen M., and additional staff. The licensing consultant and HHS Habel watched the video footage of the cot incident.

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Mary showed the licensing consultant the video of the naptime incident. Staff Gretchen was observed to put her leg over the child two times. Gretchen was also observed to grab the child by the arm and leg to flip the child over on the cot. Another staff, Emma, is then observed switching places with Gretchen. Staff Hannah B., Karla R., and Emma B. were the staff in the room. Mary stated all of those staff, including Gretchen, are floating staff. Mary stated that Gretchen had worked for the center from July 2023 until May 2025. Mary stated Gretchen left full time employment at the center in May but was still working PRN, and then in the past couple of weeks, Gretchen has come back to work at this center. Mary stated she was unaware of any concerns about Gretchen previous to this incident. Jennifer stated there were no previous concerns for Gretchen except one time recently someone came to Jennifer with concerns about Gretchen's voice tone on one occasion. Jennifer stated she talked with Gretchen about this and it was agreed that sometimes Gretchen's voice is louder than she intends it to be. The licensing consultant spoke with a long time staff of the center. The staff stated she worked with Gretchen daily for nearly two years. She described Gretchen as a "go getter" and "wonderful with the kids". She stated she has seen Gretchen work with difficult children and she has never seen Gretchen target or dislike certain kids. She stated she was not present at the center on the day of the incident. HHS Habel spoke with several staff, one who was in the room on the day of this incident, and another who works in the adjacent room and who has seen Gretchen's interactions with children. Per HHS Habel, the staff provided the following information: It appears Gretchen does not care for certain kids and can be harder on those kids, Gretchen has said that this child is hard to deal with, and Gretchen can have a harsh voice. Gretchen is physical with the children, moving them from one place to another rather than letting them move themselves. Gretchen has been observed roughly handling this child. HHS Habel spoke with Gretchen and provided the following information: Gretchen recalled sitting next to the child and placing her leg over the child's legs on the cot. Gretchen did not recall aggressively flipping the child over on the cot. When told of the video evidence, Gretchen was remorseful and emotional about that action. Gretchen denied ever telling anyone that she did not like a child. Gretchen stated the child has a lot of behaviors and she only asked if the child was like that in the child's previous room. The center is cited with regard to this complaint. Gretchen was observed to roughly grab the child by the arm and leg and flip the child over on the cot. She also then placed parts of her body over the child to hold the child on the cot. Risk of injury significantly increases when child care staff put their hands on children while they are frustrated. Luckily, this incident did not result in an injury to the child, but it very easily could have.

Special Notes and Action Required:

The employee was terminated from employment at the center as a result of this incident prior to HHS involvement. There is no further action required of the center at this time, however, the center shall always consider additional training for staff to ensure they have the skills and abilities to properly address challenging behavior.

Consultant's Signature:

Heidi Hungate

Date:

08-11-2025