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

CHILD CARE COMPLIANT

Name of Provider	County	
Jessica's Daycare	Madison	
Care Address	**City**	**Zip Code**
715 E Benton ST	Winterset	50273
Mailing Address	**Mailing City**	**Mailing Zip Code**
715 E Benton ST	Winterset	50273
Phone	**Email**	
515-238-1717		

Date of Complaint:	08/16/2024	Date of Visit:	08/22/2024

Type of Visit

[ ] Scheduled [X] 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

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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:

Childcare compliance staff received a concern regarding this childcare home. The reporter stated that the childcare had moved to a smaller area in the home and that the children do not have a large place to play. The reporter stated that there is a smell of cigarette smoke in the home. The reporter was concerned that the provider does not have a baby gate at the top of the stairway, using an ottoman to block the stairway. The provider has a helper who is 14 or 15 and has been caring for the children on her own; more than one occasion that the helper has been left with the kids and the provider is absent. It was also reported that her son was home from college. Issue with litter boxes on the main floor of the home, children have easy access to the boxes. Cleanliness of the home is lacking, dirty floor. Kids sitting on the floor to eat.

Compliance staff completed an unannounced visit to the childcare home on 8/22/24. Upon arrival to the home, compliance staff saw that the front yard had been dug up. When the provider answered the door, she led compliance staff upstairs. At the time of the annual compliance visit the childcare was in the basement. When compliance staff asked about the change, the provider reported that she had sewage back up into the home. The provider could not recall when it started, but said it was due to RAGBRAI. During our discussion, the provider looked back at when she started reaching out for help, that was July 9, 2024. She reported that after the back up, she could not have the childcare in the basement. She reported losing most of her childcare items due to the back up occurring more than one time into the home. The provider reported that she has been cleaning the basement to ensure that the area is completely sanitized. She also reported that she was told that the work that had been done was not correct and she has to have another opinion. She reported that this has been a process and that she does not want to have the childcare in her living room. She is also fearful that if the work was not done correctly, that she could have another back up and she is not taking that risk until she knows that everything is in good working condition.

Due to the fact that the back up occurred, the litter boxes are in the living room. They are behind a chair in the living room, this is a temporary area due to moving them from the basement after the sewage back up. The provider knows that this is not the most ideal place, but it is temporary until the basement is completed.

The home did not smell like smoke to compliance staff. Smoking had been discussed at the time of the annual compliance check. The provider reports smoking away from the home when she smokes.

The provider does have a helper who is not on her registration. The provider's son is also home from college and he is not on her registration. Discussion with the provider about the assistant being left alone with the children. The provider stated that the assistant was left alone one time when she had to get her physical completed. She stated that she closed early, but one parent did not show up. Discussion with the provider that she cannot leave the children with anyone, she is the main care provider. She left the children with someone who is not approved on her registration, this is not ok. The provider reported that she has put on helpers in the past, but she did not do it this time.

The cleanliness of the house was a concern. The overall appearance was acceptable. When compliance staff walked more into the living room area, compliance staff noticed several items on the floor that could easily be swept up. The provider did sweep while compliance staff was present, but there still appeared to be a build-up on the floor. The floor could benefit from regular mopping.

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Rule Basis and Findings of Complaint(s):

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

The childcare provider moved the childcare area to the main floor level of the home due to sewage back up that occurred in the childcare area. Part of the concern was the change in the home, but the provider has done what she needed to do to maintain the childcare in her home. The provider reported that she has worked to clean and sanitize the childcare area. The provider reported that she is having a second look at the work that was completed after someone told her something was not correct. She does not want to go back to the basement area until she is certain that there will be no further back up sewer problems.

Discussion was held with the provider about maintaining a clean floor on the top level of the home. This is a plank floor and it appears there is some sort of build-up on the floor even after sweeping. Provider will maintain a clean floor for the children.

110.8(1)d Safety barriers are at stairways and doors as needed.

Additionally, the lack of a baby gate at the top of the stairs is a safety concern. Even though the provider is using a large ottoman, the children could move the ottoman due to the floor being a flat surface.

110.8(1) n Animal waste is immediately removed from the children's areas and properly disposed of

The concern of the cat boxes being placed in the living room was also a concern addressed by the caller. In this instance, the provider had to move the boxes from the basement, but the provider could place them in the main bedroom as this is a temporary solution to them being in the basement, where the sewage back-up occurred. Since the area has been cleaned, the provider can move the boxes to the original location. The boxes should not be in the same area as the children.

110.8(1)i Smoking and use of tobacco products prohibited at all times in the home and vehicles used to transport children. Smoking and use of tobacco products prohibited in outdoor play area during hours of operation.

**The concern reported that smoke could be smelled in the home. Compliance staff could not smell smoke when entering the home or moving throughout the home.

110.9b(2) Documentation from the Department confirming record checks have been completed authorizing or limiting the person's involvement with childcare.

**The provider renewed her registration in 2024. She did not add her son on the renewal application, but he returns to the home over breaks from college. The provider also has had an assistant in her home all summer that has not been approved by the Department. There are times when the assistant has been left with the children while the provider was not present. Compliance staff reviewed the role of an assistant with the provider. The assistant cannot take over for the provider at any time as they may not be old enough or if they are an adult, they have not completed the necessary training to be a substitute.

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Resolution and Action Required:

In regards to the sanitary conditions of the home, compliance staff sees that a move to the main floor of the home is not a compliance violation due to the incident of sewage back up into the home and the process to get it remediated. The provider is still working to ensure that this issue is taken care of before returning to the basement for care.

In regards to the smell of smoke in the home, at the time of the unannounced visit to the home, compliance staff could not smell smoke and could not say that this is a rule violation.

In regards to the floor cleanliness at the time of the visit, the provider should be sweeping and mopping the floor daily to maintain a clean and sanitary play/eating area for the children.

In regards to the lack of a safety barrier at the top of the stairs, this is a compliance violation. The use of the ottoman, that can be easily moved from the stairs is a safety hazard for young children attending this childcare. The provider will have to have a baby gate installed by September 5, 2024.

In regards to animal waste in childcare area, the provider placed the litter boxes in the same area as the children due to the back up issue in the basement. This is a compliance violation. The provider will move the boxes to the main bedroom not utilized by childcare or return them to the basement area that is cleaned up immediately.

In regards to additional people in the home that are not currently record checked, this is a compliance violation. The provider will submit a change application by September 5, 2024. This will add her college son who returns to the home for school breaks back to her registration. This effort will also add the assistant that she used all summer. The provider plans to continue to use this assistant with school is out of session.

Compliance staff will complete random visits to the home to ensure that the provider is following the compliance standards and rules of the State of Iowa.

Consultant's Signature:	Stacy Burris	**Date of Visit:**	08/23/2024
Supervisor Signature:	Sheila Aunspach	**Date of Visit:**	08/23/2024