Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: KinderCare Learning Center **Enrollment:** 143 **License ID:** 50165

Street: 8601 Thomas Avenue **City:** Johnston **IA** **Zip Code:** 50131 **County:** Polk

Mailing Address: 8601 Thomas Avenue

Mailing City: Johnston **IA** **Zip Code:** 50131

Director's Name: Paige Poore **Center Phone Number:** 515-214-1036

On-Site Supervisors: Danielle Anderson **E-Mail Address:** paige.poore@kindercare.com

Date of Complaint: 12-30-2022 **Date of Visit:** 01-04-2023

[ ] Scheduled **[X]** Unannounced **[ ]** NA

[X] Non-Compliance with Regulations Found **[ ]** Compliance with Regulations Found

RECOMMENDATION FOR LICENSE

[X] 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 ☐ No

Serious Injuries include:

- Disabling mental illness.
- Bodily injury which creates a substantial risk of death, causes serious permanent disfigurement, or causes protracted loss or impairment of the function of any bodily member or organ.
- Any injury to a child that requires surgical repair and necessitates the administration of general anesthesia.
- Includes but is not limited to skull fractures, rib fractures, metaphyseal fractures of the long bones of children under the age of 4 years.

Did this complaint result in a death to a child? ☐ Yes ☒ No

Summary of Complaint:

It is alleged that a six month old infant sustained a skull fracture at Johnston Daycare on 12/29/2022. The history given by the daycare staff is not consistent with the child's injury.

Licensing Rules Relevant to the Complaint:

109.10(10) Recording incidents: Parents shall be notified on the day of the incident involving a child that includes:Minor injuries.Minor changes in health status.Minor behavioral concerns.Incidents resulting in injury to a child.Shall be verbally notified immediately when there is:A serious injury to a child.An incident resulting in significant change in health status.An incident includes child being involved in inappropriate, sexually acting out behavior.A WRITTEN report, fully documenting every incident, shall be provided to the parent or authorized person. This should be completed by staff that witnessed the incident and retained in child file.Serious injuries and deaths must be reported to the Department within 24 hours.

109.10(16)a The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision.

109.12(5) Environment for children under age two protects from harm but does not unduly restrict development.

Inspection Findings:

12/30/22 This worker and HHS Muench communicated about the concerns reported. HHS Muench provided the information she had obtained thus far. She has had communication with medical staff who treated the child, with the family and with law enforcement. A visit for the daycare was scheduled.

1/4/23 This worker and HHS Muench met with staff MH. Staff MH said she didn't see the infant fall, she doesn't remember exactly what she was doing but she thinks she was facing the bottle prep area. Staff MH said she picked up the infant and went to get an ice pack for the infant's head. She gave the infant a bottle and baby was fine. She put the ice pack on the back of the baby's head since she wasn't sure where the baby hit her head. She thinks the baby fell around 2:00, 2:15. She didn't notify the mother as she didn't think it was a significant injury. She let Paige know what happened when she was getting ready to leave for the day. She told Paige what happened when she gave her the incident report. She isn't sure what KinderCare's policy is about head injuries. She has talked with the father about the baby pulling herself up a lot and falling. She think the other staff, DS, was holding a baby at the time this baby fell. She's not sure if DS saw the baby fall. The baby cried for fifteen to thirty seconds after she fell. The baby is able to stand by herself for thirty seconds to one minute.

This worker and HHS Muench met with Paige Poore, director. Paige said she was gone from the daycare on that date from 12:30 - 3:00. Paige said staff did not talk to her about the incident and nobody gave her an incident report on that date. She got the incident report the next morning. She got the report out of her box and signed it. She said the date is changed as she originally signed the date for the 30th then changed it to the 29th as the date of the incident.

This worker and HHS Muench met with staff DS. Staff DS thinks both she and the other staff MH were holding babies when the baby fell. She saw the baby crawl to a shelf. She saw the baby on the floor and roll to her side. Staff MH went to get the baby and checked the baby's head. MH didn't see any injuries. The baby had fallen maybe one other time that morning. The baby cried for around one minute and went to sleep. She said something to the baby's dad when he picked her up. She didn't give him an incident report. She thinks MH wrote an incident report. MH gave the baby a bottle after she fell. She isn't sure what KinderCare's policy is about head injuries.

This worker and HHS Muench spoke with Paige. Paige said neither staff gave her an incident report that day. Paige said all staff should know what KinderCare's policy on head injuries are. The parents should have been notified that the baby hit her head at the time it occurred. She didn't know these staff didn't know the policy. She isn't sure why they would say this.

Special Notes and Action Required:

109.10(16)a
Staff shall provide careful supervision.
An infant sustained a serious injury while in the care of KinderCare staff. Staff failed to provide the type of supervision a reasonable and prudent person would exercise. The infant has fallen numerous times and should have received better supervision. The infant is not able to self supervise and self protect due to her young age.
VIOLATION

109.12(5)
Environment for children under age two protects from harm but does not unduly restrict development.
The child was not provided a safe, protected environment. The child was known to be at a developmental stage to be pulling up. Staff did not provide a safe classroom environment for the child to develop large motor skills without sustaining an injury.
VIOLATION

109.10(10)
Recording incidents: Parents shall be notified on the day of the incident involving a child that includes:
Minor injuries.
Minor changes in health status.
Minor behavioral concerns.
Incidents resulting in injury to a child.
Shall be verbally notified immediately when there is:
A serious injury to a child.
A WRITTEN report, fully documenting every incident, shall be provided to the parent or authorized person. This should be completed by staff that witnessed the incident and retained in child file.
Serious injuries and deaths must be reported to the Department within 24 hours.
VIOLATION

Staff that were working in the infant classroom are no longer employed at the daycare. Paige stated she will review injury/accident reports with staff. She will review KinderCare's policy for head injuries with staff. Staff are to notify management if a child hits their head. Parents are to be notified at the time of that type of injury/accident.

Consultant's Signature:

Melinda Larson, Child Care Licensing Consultant

Date:

03-06-2023