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

CHILD CARE COMPLIANT

Name of Provider Laura Cole	**County** Dubuque	
Care Address 30 Devon DR	**City** Dubuque	**Zip Code** 52001
Mailing Address 30 Devon DR	**Mailing City** Dubuque	**Mailing Zip Code** 52001
Phone 563-564-3499	**Email**	

Date of Complaint:	01/05/2024	**Date of Visit:**	01/08/2024

Type of Visit

[X] Scheduled [ ] 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:

[X] Category A

[ ] Category B

[ ] Category C (with no co-provider)

[ ] Category C (with co-provider)

[ ] Non-registered Child Care Home with CCA Provider Agreement

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:

Concern reported that on 1/3/24 an infant in Laura's child care was picked up from care and infant smelled of cigarette smoke. Additional information later received to add to the complaint report that this infant also had unexplained scrapes on outer thigh that were not there when parent dropped off in the morning.

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Rule Basis and Findings of Complaint(s):

Code of Iowa, Chapter 237A
441 Iowa Administrative Code, Chapter 110
441 IAC 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.
441 IAC 110.7(1)a. Provider gives careful supervision at all times. b. Frequently exchanges information with the parent of each child to enhance the quality of care. c. Gives consistent, dependable care. Is capable of handling emergencies. d. Is present at all times, except if emergencies occur or an absence is planned. If absence is planned, care is provided by a HHS-approved substitute. If absence is planned, parents are given at least 24 hours prior notice.
441 IAC 110.8(6)Discipline a. Corporal punishment including spanking, shaking, and slapping is not used. b. No punishment is used which is humiliating or frightening, or causes pain or discomfort to the child. e. Discipline is designed to help the child develop self-control, self-esteem, and respect for the rights of others.

Findings:

HHS worker Kelly Schlarmann met with Laura on 1/5/204 to discuss the above concerns. HHS Schlarmann reported there were 7 kids in the home, reportedly all were Laura's grandchildren. Laura informed her that nothing happened to the infant in her child care. Laura informed HHS Schlarmann that the mom of the child reportedly allows her other two young children to hold and feed this infant and believes that's where this injury originated. HHS Schlarmann informed this worker that the injury on the child appeared to be scabbed over already on that day which would lead to questioning when the injury actually occurred. HHS Schlarmann stated that the home was clean and did not smell like cigarettes, adding that she only viewed the front of the home.

This worker met with Laura at her child development home on 1/8/2024. Laura reported that she first became aware of the injury when the parent texted Laura a picture of it on 1/4/24 inquiring if she knew what happened to the child. Laura shared the picture of the injury she received from the parent with this worker. Laura reported that the parent believed the injury looked fresh and reported it was not present when the child was dropped off. Laura reported that she felt the injury looked partially scabbed already, adding that nothing happened to the child while in her care. Laura stated that she did not notice the scrape on the child despite regular diaper changing. Laura did note that the child did have a slight diaper rash however. Laura informed this worker that the parent of the child allows her other young children to hold and feed the infant and wonders if this is how the injury occurred. Laura reported that she made the decision to not have the child return to her care as she felt it would be best for all involved. Laura stated that she has been on the receiving end of social media 'bashing' now accusing her of mistreating the child. Laura stated that she recently had an argument with the child's parent regarding transportation expectations. The parent felt Laura was expected to transport her children and Laura does not offer transportation.

This worker discussed with Laura the concern regarding the child smelling like cigarette smoke. Laura admitted to this worker that she does smoke. Laura admitted that she has smoked in her bathroom, but not during child care hours. A faint smell of smoke was noted in Laura's bathroom on this date. This worker reminded Laura that per Iowa Administrative Code Chapter 110.8(1)i. smoking and the use of tobacco products is prohibited in the home and in vehicles used to transport children. Smoking and the use of tobacco products is also prohibited in outdoor play area during hours of operation. This worker filed a complaint on Laura for smoking within the child development home with the Iowa Smoke Free Air agency. Laura stated that she did have a conversation with this parent regarding the smoke smell on the child and agreed that she would put on different clothing if she smoked before children arrived to day care. Laura admitted that her clothing probably does smell like smoke and would be especially noticeable and concerning when holding infants for feedings.

There is not a preponderance of evidence to support the concern that a child received injuries while in Laura's care. There is a preponderance of evidence that Laura has smoked in her home, as evidenced by Laura's own admission.

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Resolution and Action Required:
No further action is required at this time.

Consultant's Signature:	Kathy Huinker	**Date of Visit:**	01/10/2024
Supervisor Signature:	Sheila Aunspach	**Date of Visit:**	02/13/2024