

06/09/2023

Stephanie Covington
28307 265th ST
Leon, IA 50144

Dear Child Care Provider:

This letter is in regards to the compliance visit at your Registered Child Development Home C conducted on 06/07/2023. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home. You are not a participant in the voluntary Quality Rating and Improvement System. The following areas were out of compliance at the time of the visit:

FINDINGS: **Identify FINDINGS in each area of non-compliance.**

441 IAC 110.6 Limit. Except as provided in subrule 110.6(3), no greater number of children shall be received for care at any one time than the number authorized on the registration certificate.

441 IAC 110.8(1) **Facility Requirements**

441 IAC 110.8(1)“ h” The home shall have at least one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway. Each smoke detector shall be installed according to manufacturer’s recommendations. The provider shall test each smoke detector monthly and keep a record of testing for inspection purposes

441 IAC 110.8(4) **Emergency Plans**

441 IAC 110.8(4) “a” Fire and tornado drills shall be practiced monthly and the provider shall keep documentation evidencing compliance with monthly practice on file for the current year and the previous year.

441 IAC 110.9 Files

441 IAC 110.9(1) **A provider file is maintained and shall contain the following:**

441 IAC 110.9(1)“ a” A physician’s examination report for the provider and all members of the provider’s household aged 18 years or older. Acceptable physical examinations shall be documented on Form 470-5152, Child Care Provider Physical Examination Report. All children residing in the household must have medical documentation outlined in 110.9(4) “d”, 110.9(4) “f”, and 110.9(4) “g”

441 IAC 110.9(1)“ b” (1) I-PoWeR records or certificates verifying required training completion:

Prior to registration:

- minimum health and safety training, approved by the Department, in required content areas
- Iowa’s Mandatory Child Abuse Reporter Training

Prior to registration: First Aid and Cardiopulmonary resuscitation. Provider shall maintain a valid certificate indicating date of training and expiration date.

During each two year registration period, the provider shall receive a minimum of 24 hours of training from approved content areas. A provider shall not use a specific training or class to meet minimum continuing education requirements more than one time every five years

A provider who submits documentation from a child care resource and referral agency that the provider has completed the Iowa Program for Infant/Toddler Care (IA PITC), ChildNet, or Beyond Business Basics training series may use those hours to fulfill a maximum of two years' training requirements, not including first-aid and mandatory reporter training

441 IAC 110.9(2)

An individual file is maintained for each staff assistant and contains:

1. Documentation from the department confirming the record checks required under subrule 110.11(3) have been completed and authorizing or conditionally limiting the person's involvement with child care
2. A completed Form 470-5152, Child Care Provider Physical Examination Report. The examination shall include any necessary testing for communicable diseases; a discussion of recommended vaccinations; completed no more than six months prior to approval to assist or be a household member; completed by a licensed medical doctor, doctor of osteopathy, physician assistant or advanced registered nurse practitioner; and repeated at least every three years.
3. Certification of two hours of approved training related to identification and reporting of child abuse as required by Iowa Code section 232.69 within 3 months of employment.

441 IAC 110.9(3)

An individual file is maintained for each substitute and contains:

1. Documentation from the department confirming the record checks required under 441 IAC 110.9(1) "a" have been completed and authorizing or conditionally limiting the person's involvement with child care.
2. A completed Form 470-5152, Child Care Provider Physical Examination Report. The examination shall include any necessary testing for communicable diseases; a discussion of recommended vaccinations; completed no more than six months prior to approval to assist or be a household member; completed by a licensed medical doctor, doctor of osteopathy, physician assistant or advanced registered nurse practitioner; and repeated at least every three years.
3. Certification of two hours of approved training related to identification and reporting of child abuse as required by Iowa Code section 232.69 within 3 months of employment.
4. Certification in infant and child first aid
5. Certification or other documentation that minimum health and safety training has been completed within 3 months or prior to providing substitute care, whichever occurs first.

Findings:

Documentation of monthly drills and smoke detector checks.

****Provider had not documented the practices of drills or detector checks since February 2023.**

441 IAC 110.9(1)"a" A physician's examination report for the provider and all members of the provider's household aged 18 years or older

****Provider did not have a copy of a current physical.**

441 IAC 110.9(1)"b" (1) I-PoWeR records or certificates

****Provider did not have a copy of a recent Mandatory Reporter Training. The last one that was on I-Power expired in Dec 2022.**

441 IAC 110.9(2) An individual file is maintained for each staff assistant

**The provider has two assistants listed on her registration. Greyden is reported to no longer be living at the home or helping, but he is still on the registration. His physical expired in Feb 23. If Greyden is no longer in the home, a call or email to registration can get him removed from the household.

**Brenden is listed as an assistant, but there is no documentation regarding completion of the Mandatory Reporter Training. This should be completed within three months of the approval for this person to be an assistant.

441 IAC 110.9(3) An individual file is maintained for each substitute

**Janice is in need to update the Mandatory reporter training. Her's expired in Dec 2022.

441 IAC 110.15 SPECIFIC REQUIREMENTS FOR CHILD DEVELOPMENT HOME CATEGORY "C"

**This business is a Category C2 home. This means that two providers are needed to be present at all times unless there is an approved substitute present for one of the co-providers or there are no more than 8 children in the childcare home.

Upon arrival to the childcare home, the provider was alone in the home with her report of 14 children. The home was darkened due to nap time and count by compliance staff did not happen right away. The provider informed compliance staff that registration told her that it was ok for her co-provider to be away during naptime since the kids were sleeping. The provider informed compliance that her co-provider was on the way back to the home after checking on an issue on their farm. Compliance attempted to discuss regulation, however, was cut off by the provider stating what "Registration" had told her. At that time, her co-provider returned to the home and remained present for the remainder of the compliance visit.

The Law for a Category C home is written so that providers who have ample experience are allowed to care for a larger number of younger children than other category home providers. For your C2 home, you are allowed up to 14 Preschool aged children (0 to the day before a child starts Kindergarten) and two additional school aged children. Your category is allowed to care for up to 6 children who are between the ages of 0 and 2, when you have two providers. If for some reason one of the identified providers is unavailable, the Category C2 home can either have a substitute in the home to help care for children or one provider is only eligible to have 8 children in their care. The Category C1 or a C2 home with one available provider is allowed to have up to 6 children between the ages of 0 and 2.

You told compliance staff that the Registration office told you that it was ok for your co-provider to leave the home to attend to something on the property. However, that is not correct information. For one of you to leave the home, you need to have a substitute there to be in attendance. One provider is only allowed to care for 8 children at one time. So for example, with the 14 children in your care on June 7th at the compliance visit, you were over numbers. Any time you are left with more than 8 children as a single provider you are over numbers.

During our compliance check, you mentioned moving to Category B numbers after school starts. That is fine, if you would like to change categories you are able to do so. But you will need to turn in a change application to the Registration office. You told compliance staff that Registration told you that you can care for children at a Category B home level until early next year when you would renew at a Category B home. This is not correct information. If you choose to change categories, you will need to make a change application with Registration. At any time that you would be caring for more than 8 children in your home, you would be over numbers. I spoke with CCR&R consultant who informed this compliance staff that some previous consultants have stated that this is an ok practice. It is not an ok practice.

A category B home is allowed to use an assistant to help when going over 8 children. Your C2 home, is not allowed to use an assistant in place of one of the approved co-providers. That is one of the differences between the two categories of homes and why homes should not cross those boundary lines. I understand the frustration of being told something that is not correct. I recommend asking any compliance questions of the compliance worker or your CCR&R representative from this time forward.



Iowa Department of Health And Human Services

Kim Reynolds
Governor

Adam Gregg
Lt. Governor

Kelly K. Garcia
Director

Suggestions/Recommendations:

Prior to writing this letter for compliance, the provider was able to locate her Mandatory reporter training and sent a copy by text to compliance staff.

Mandatory Reporter trainings is still needed to be completed by the substitute Janice and the assistant Brenden. These should be completed by August 7, 2023 and sent by text to 712-435-0576 or email to sburris@dhs.state.ia.us

Corrective Action Required:

For any questions or clarification on information in this letter, please contact compliance staff at 712-435-0576.

Non-compliance with any of the mandated requirements listed above may lead to the cancellation or revocation of your Child Development Home Registration. Please take whatever steps are necessary to completely address each of the violations noted above. It is essential you correct all above-mentioned violations.

Please do not hesitate to contact me at DHS at 712-435-0576 sburris@dhs.state.ia.us if you have any questions regarding this letter.

Sincerely,

Stacy Burris

Social Worker II

Sheila Aunspach

Social Work Supervisor

Always Remember:

Child Care Resource and Referral is an excellent resource for providers to access training options and support in your area. You can reach Child Care Resource and Referral at 877-216-8481

As you plan your future trainings to meet your 24 hours of training requirement, please remember that you can access the approved training by going to http://www.dhs.state.ia.us/Consumers/Child_Care/Professional_Development.html

You may also access training at: <https://ccmis.dhs.state.ia.us/trainingregistry/>

All providers need to maintain compliance with rules set out in Iowa Administrative Code, Chapter 110, which includes: 441 IAC 110.5(1): Check with the appropriate authorities to determine how the following local, state, or federal laws apply to you: • Zoning code • Building code • Fire code • Business license • State and federal income tax • Unemployment insurance • Worker's Compensation • Minimum wage and hour requirements • OSHA • Americans with Disabilities Act (ADA).