



## IOWA DEPARTMENT OF HUMAN SERVICES

**Child Care Complaint**

<b>Name of Provider</b> Nicole Foster	<b>County</b> Polk	
<b>Care Address</b> 1331 E 17th ST	<b>City</b> Des Moines	<b>Zip Code</b> 50316
<b>Mailing Address</b> 1331 E 17th ST	<b>Mailing City</b> Des Moines	<b>Mailing Zip Code</b> 50316
<b>Phone</b> 515-423-9728	<b>Email</b>	

<b>Date of Complaint:</b>	12/17/2018	<b>Date of Visit:</b>	12/17/2018
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**Type of Visit**

<input type="checkbox"/> Scheduled	<input checked="" type="checkbox"/> Unannounced	<input type="checkbox"/> N/A
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**Compliance Regulation**

<input checked="" type="checkbox"/> Non-Compliance with Regulations Found	<input type="checkbox"/> Compliance with Regulations Found
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**Recommendation for Registration:**

<input type="checkbox"/> No Changes to registration status recommended
<input type="checkbox"/> Revocation of Registration
<input type="checkbox"/> Cancellation of Child Care Assistance Provider Agreement

**Category of Care:**

<input type="checkbox"/> Category A
<input checked="" type="checkbox"/> Category B
<input type="checkbox"/> Category C (with no co-provider)
<input type="checkbox"/> Category C (with co-provider)
<input type="checkbox"/> Non-registered Child Care Home with CCA Provider Agreement

**Complaint Details:**

Did this complaint result in a serious injury?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Did this complaint result in a death to a child?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of Complaint:**

The Department received a complaint that provider was transporting children in a vehicle without appropriate car seats, and is also smoking in the vehicle with children present.

**Rule Basis and Findings of Complaint(s):****Rules:**

110.8 "Conditions in the home shall be safe, sanitary, and free from hazards."

110.8(1)i "Smoking and use of tobacco products prohibited at all times in the home and vehicles used to transport children."

**Findings:**

I conducted a spot check with provider on 12/17/2018 and report the following:

- During the time of my visit, Nicole had 5 of her regular children in care. She had recently come home from an outing when I arrived. All of the children in Nicole's care would have required a car seat for transporting. I did inspect Nicole's vehicle. The large SUV had adequate space to transport the 5 children in her care, and she had appropriate car seats for the children that were present.

- I did note some cigarette butts in the ash tray of the vehicle though did not notice a strong odor of recent smoking in the vehicle. Nicole reported that she does smoke, though is not a heavy smoker and has smoked in the vehicle during non-child care related trips. She indicated being unaware that all smoking in the vehicle was prohibited even during non-child care hours. We conducted a review of the policy and the need to eliminate any and all smoking in the vehicle. Nicole also needs to add a no-smoking sign or decal to the vehicle. We talked about visiting with Megan Kerkmann from Child Care Resource and Referral to potentially get a window decal. Megan can be reached at: (515) 246-3583.

**Resolution and Action Required:**

I do not have evidence of non-compliance with regards to transporting without proper car seats or securing car seats in the vehicle.

Nicole admits to non-compliance in regards to occasional smoking in a vehicle used to transport children. We have reviewed current policy, talked about getting the proper no-smoking decal for her vehicle, and discontinuation of any future smoking in the vehicle.

During my visit, I observed non-compliance unrelated to the complaint as follows:

1. Rule 110.8(5)a "Provider shall follow safe sleep practices as recommended by AAP for infants under one year of age."

- During my visit, provider had twin 9 month old infants who were both asleep in a car seat, wearing a jacket, and with a blanket covering the entire car seat.

- I required that the provider correct both infants immediately upon discovery and she complied. She reported that they had recently returned from an outing and that she hadn't had time to remove them.

- I will complete the referral to Child Care Resource and Referral for Safe Sleep and will be returning on 12/20/2018 to complete a safety plan with the provider.

2. Rule 110.6 "No more children are in care than the number authorized on the registration certificate."

- During my visit, Nicole had a visitor who brought 4 additional children with her. I explained these additional children counted in Nicole's numbers while they were visiting. This put Nicole over allowable under school age children by 1 child.

- Nicole indicated the woman was there to hopefully apply to become an assistant/substitute with her operation. We reviewed that she cannot start working with her until she has been fully approved by the Registration Unit.

<b>Consultant's Signature:</b>	Earl Crow	<b>Date of Visit:</b>	12/17/2018
<b>Supervisor Signature:</b>	Jone Staley	<b>Date of Visit:</b>	12/18/2018