



# Iowa Department of Human Services

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

November 30, 2015

Tabbatha Mirfield/Sharon Gaskey  
2407 West 49<sup>th</sup> St  
Davenport IA 52806

Dear Tabbatha & Sharon,

This letter is in regards to the 11/25/15 compliance check of your Level C, Registered Child Development Home. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home. The following areas were out of compliance at the time of my visit:

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

441 IAC 110.5(1) Conditions in the home are safe, sanitary, and free of hazards.

**Tabbatha shall turn off her Scentsy in the main floor bathroom during daycare hours.**

441 IAC 110.5(1)"a" The home shall have a nonpay, working land-line or mobile telephone with emergency numbers posted for police, fire, ambulance, and the poison information center. The number for each child's parent, for a responsible person who can be reached when the parent cannot, and for the child's physician shall be written on paper and readily accessible by the telephone. The home must prominently display all emergency information, and all travel vehicles must have a paper copy of emergency parent contact information

**Tabbatha will place a copy of her emergency contact sheet in her transport vehicle.**

441 IAC 110.5(1)"c" A first-aid kit shall be available and easily accessible whenever children are in the child development home, in the outdoor play area, in vehicles used to transport children, and on field trips. The kit shall be sufficient to address first aid related to minor injury or trauma and shall be stored in an area inaccessible to children. The kit shall, at a minimum, include adhesive bandages, antiseptic cleaning materials, disposable tweezers, and disposable plastic gloves.

**Disposable tweezers were given to Tabbatha to place in her home and auto first aid kit.**

442 IAC 110.5(1)"d" Medications shall be given only with the parent's or doctor's written authorization. Each prescribed medication shall be accompanied by a physician's or pharmacist's direction. Both nonprescription and prescription medications shall be in the original container with directions intact and labeled with the child's name. All medications shall be stored properly and, when refrigeration is required, shall be stored in a separate, covered container so as to prevent contamination of food or other medications. All medications shall be stored so they are inaccessible to children. Any medication administered to a child shall be recorded, and the record shall indicate the name of the medication, the date and time of administration, and the amount given

**Tabbatha needs to obtain parental consent form for D.S. and record on this form how much and when medications are administered to this child.**

441 IAC 110.5(1)“h” A safe outdoor play area shall be maintained in good condition throughout the year. The play area shall be fenced off when located on a busy thoroughfare or near a hazard which may be injurious to a child, and shall have both sunshine and shade areas. The play area shall be kept free from litter, rubbish, and flammable materials and shall be free from contamination by drainage or ponding of sewage, household waste, or storm water.

**Tabbatha needs to repair or replace riding green catapillar and red big wheel toy. Tabbatha needs to remove yellow extension cord from outdoor play area and remove 2 piles of wood/yard waste from back yard.**

441 IAC 110.5(1)“j” Emergency plans in case of man-made or natural disaster shall be written and posted by the primary and secondary exits. The plans shall clearly map building evacuation routes and tornado and flood shelter areas.

**Tabbatha needs to post floor plan with routes for emergency near front door.**

441 IAC 110.5(1)“n” 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

**Tabbatha needs to document when she performs her monthly checks. Form was provided during the visit.**

441 IAC 110.5(1)“o” Smoking and the use of tobacco products shall be prohibited at all times in the home and in every vehicle in which children receiving care in the home are transported. Smoking and the use of tobacco products shall be prohibited in the outdoor play area during the home’s hours of operation. Nonsmoking signs shall be posted at every entrance of the child care home and in every vehicle used to transport children.

All signs shall include:

- (1) The telephone number for reporting complaints, and
- (2) The Internet address of the department of public health ([www.iowasmokefreeair.gov](http://www.iowasmokefreeair.gov))

**Tabbatha needs to place a compliant sign in transport vehicle. Business card for local Child Care Resource and Referral in home consultant was given to provider to contact for signage.**

441 IAC 110.5(1)“q” Providers shall inform parents of the presence of any pet in the home.

(1) Each dog or cat in the household shall undergo an annual health examination by a licensed veterinarian. Acceptable veterinary examinations shall be documented on Form 470-5153, Veterinary Health Certificate. This examination shall verify that the animal’s routine immunizations, particularly rabies, are current and that the animal shows no evidence of endoparasites (roundworms, hookworms, whipworms) and ectoparasites (fleas, mites, ticks, lice).

(2) Each pet bird in the household shall be purchased from a dealer licensed by the Iowa department of agriculture and land stewardship and shall be examined by a veterinarian to verify that it is free of infectious diseases. Acceptable veterinary examinations shall be documented on Form 470-5153, Veterinary Health Certificate. Children shall not handle pet birds.

(3) Aquariums shall be well maintained and installed in a manner that prevents children from accessing the water or pulling over a tank.

(4) All animal waste shall be immediately removed from the children's areas and properly disposed of. Children shall not perform any feeding or care of pets or cleanup of pet waste.

(5) No animals shall be allowed in the food preparation, food storage, or serving areas during food preparation and serving times

**Tabbatha needs to provide documentation of current physicals on approved form for: Tuxedo, Cubbie, Moxie and Gracie Mae. Tabbatha admitted to this worker that she will allow older daycare children to assist in cleanup of pet waste outdoors. This worker informed the provider that this cannot happen from this point forward.**

441 IAC 110.5(1)"s" If children are allowed to use an aboveground or in-ground swimming pool:

(1) Written permission from parents shall be available for review.

(2) Equipment needed to rescue a child or adult shall be readily accessible.

(3) The child care provider shall accompany the children and provide constant supervision while the children use the pool.

(4) The child care provider shall complete training in cardiopulmonary resuscitation for infants, toddlers, and children, according to the criteria of the American Red Cross or the American Heart Association.

**Tabbatha needs to update her annual permission forms for water related activities for 17 out of her 27 children enrolled in her childcare.**

441 IAC 110.5(1)"u" The provider shall have written policies regarding the care of mildly ill children and exclusion of children due to illness and shall inform parents of these policies.

**Tabbatha needs to show documentation of how she would care for a child that becomes sick while in her care prior to that child's parents' coming to pick the child up.**

441 IAC 110.5(2) A provider file is maintained and contains:

441 IAC 110.5(2)"a" A physician's examination report for the provider and all members of the household . Acceptable physical examinations shall be documented on 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 initial registration; completed by a licensed medical doctor, doctor of osteopathy, physician assistant or advanced registered nurse practitioner; and repeated at least every three years.

**Tabbatha needs to provide documentation of current physicals for Hunter and Miranda on approved form.**

441 IAC 110.5(2)"b" (1) Certificates or training verification and record check documentation.

Within the first three months of registration :

Two hours of approved child abuse and neglect mandatory reporter training (and every 5 years thereafter.)

Certification by an approved trainer/organization in infant and child first-aid that includes mouth-to-mouth resuscitation. The provider shall maintain a valid certificate indicating the date of first-aid training and the expiration date

During the first year of registration, the provider shall receive a minimum of 12 hours of training from one or more of the following content areas. The provider shall receive at least 6 of these hours in a group setting. A provider shall not use a specific training or class to meet minimum continuing education requirements more than one time every five years

During the second year of registration and each succeeding year, twelve hours of approved training. At least six hours shall be in a group setting.

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

**Tabbatha and Sharon have 2.5 hours a piece for training at this time. They will each need to have 21.5 hours of training prior to 10-1-16.**

441 IAC110.5(2)"c" An individual file is maintained for each staff assistant and contains:

(1) Documentation from the department confirming the record checks required under subrule 110.7(3) have been completed and authorizing or conditionally limiting the person's involvement with child care

**Tabbatha needs to show documentation of approval letter for Miranda.**

(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.

**Tabbatha needs to show documentation of current physical for Miranda on approved form.**

(3) Certification of two hours of approved training relating to identification and reporting of child abuse within 6 months of employment and repeated every 5 years.

**Tabbatha needs to show documentation of current course completion for Miranda.**

441 IAC 110.5(2)"d" An individual file is maintained for each substitute and contains:

(1) Documentation from the department confirming the record checks required under 441 IAC 110.7(3) have been completed and authorizing or conditionally limiting the person's involvement with child care.

Tabbatha needs to obtain current approval letter for Maranda.

(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.

**Tabbatha needs to show documentation of current physical for Maranda on approved form.**

**(3)** Certification of two hours of approved training relating to identification and reporting of child abuse within 6 months of employment and repeated every 5 years.

**(4)** Certification in infant and child first aid that includes mouth-to-mouth resuscitation. If they are unable to locate first aid training that includes mouth-to-mouth resuscitation, they must complete both a first aid course and CPR.

**Tabbatha needs to show documentation of current course completion for Maranda.**

441 IAC 110.5(3) Activity Program. There is an activity program and it promotes self-esteem and exploration.

a. Activity program includes active play.

b. Activity program includes quiet play.

c. Activity program includes activities for large muscle development, such as running, climbing and riding toys.

d. Activity program includes activities for small muscle development, such as coloring, puzzles, finger plays and play dough.

e. Play equipment and materials in a safe condition, for both indoor and outdoor activities which are developmentally appropriate for the ages and number of children present.

**Please refer to 110.5(1)h above for further details.**

441 IAC 110.5(8) Children's Files. An individual file is maintained for each child and updated annually or when there are changes. Each file contains:

441 IAC 110.5(8) "a". Identifying information including, at a minimum, the child's name, birth date, parent's name, address, telephone number, special needs of the child, and the parent's work address and telephone number.

**Need for CP.**

441 IAC 110.5 (8) "b". Emergency information including, at a minimum, where the parent can be reached, the name, street address, city and telephone number of the child's regular source of health care, and the name, telephone number, and relationship to the child of another adult available in case of emergency.

**Need update for ZD. Need for CP.**

441 IAC 110.5(8) "c". A signed medical consent from the parent authorizing emergency treatment.

**Need update for JR & CP.**

441 IAC 110.5(8) “d”. An admission physical examination report signed by a licensed physician or designee in a clinic supervised by a licensed physician

(1) The date of the physical examination shall not be more than 12 months before the child’s first day of attendance at the child development home.

(2) The written report shall include past health history, status of present health, allergies and restrictive conditions, and recommendations for continued care when necessary.

(3) For a child who is five years of age or older and enrolled in school, a statement of health status signed by the parent or legal guardian may be substituted for the physical examination report.

(4) The examination report or statement of health status shall be on file before the child’s first day of care

**Need physical for CP.**

441 IAC 110.5(8) “f”. A list signed by the parent which names persons authorized to pick up the child. The authorization shall include the name, telephone number, and relationship of the authorized person to the child.

**Need update for TG, ZD, AR. Need for CP.**

441 IAC 110.5(8) “g”. A signed and dated immunization certificate provided by the state department of public health. For the school-age child, a copy of the most recent immunization record shall be acceptable.

**Need for DS(6), SS, AS, DS(8) & CP. Need date on form C for LM. Need to place immunizations on the required IDPH form for RM (5), CR, DD, & GG.**

441 IAC 110.5(8) “i”. Written permission from the parent for the child to attend activities away from the child development home. The permission shall include:

(1) Times of departure and arrival.

(2) Destination.

(3) Persons who will be responsible for the child

**Need update for CP.**

441 IAC 110.5(9) The provider shall meet the following requirements:

a. Gives careful supervision at all times.

b. Exchange information with the parent of each child frequently to enhance the quality of care.

c. Give consistent, dependable care and be capable of handling emergencies

d. Be present at all times except when emergencies occur or an absence is planned, at which time care shall be provided by a department-approved substitute. When an absence is planned, the provider shall give parents at least 24 hours’ prior notice.

**This worker observed 7 daycare children in the outdoor play area when approaching the daycare home without proper supervision. This worker had the provider sign a safety plan that they will “ensure that direct eyes and ears supervision is provided to daycare children whether they are indoors or outdoors.”**

**441 IAC 110.10(1) SPECIFIC REQUIREMENTS FOR CHILD DEVELOPMENT HOME CATEGORY “C”**

441 IAC 110.10(1)“f” If more than eight children are present, both providers shall be present. Each provider shall meet the provider qualifications for child development home category C **This worker observed 14 daycare children present in the home during the start of today’s visit without a co-provider or their substitute present to assist with this number of children. The co-provider’s substitute did show up to the home approximately 5 minutes after this worker’s visit started. This worker had the provider sign a safety plan that she will “ensure that her co-provider or appropriate substitute is present at anytime there are more than 8 children in the daycare home.”**

**441 IAC 110.10(3) Facility requirements:**

441 IAC 110.10(3)“c” The home shall have a minimum of two direct exits to the outside from the main floor.

(1) If the second level or the basement of the home is used for the provision of child care, other than the use of a restroom, each additional child-occupied floor shall have at least one direct exit to the outside in addition to one inside stairway.

(2) All exits shall terminate at grade level with permanent steps.

(3) A basement window may be used as an exit if the window can be opened from the inside without the use of tools and it provides a clear opening of not less than 20 inches in width, 24 inches in height, and 5.7 square feet in area. The bottom of the opening shall be not more than 44 inches above the floor, with permanent steps inside leading up to the window.

(4) Occupancy above the second floor shall not be permitted for child care

**This worker observed daycare children playing in an upstairs room that did not have a direct exit to the outside available with permanent steps leading to ground level. This worker informed the provider that daycare children cannot remain upstairs from this point forward due to a lack of emergency egress. This worker also observed a baby crib present in this upstairs area. The provider stated that they did not normally use this crib upstairs.**

**Suggestions for Improvement:**

N/A

Non-compliance with any of the mandated regulatory 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 by 1/14/16.**

Based on the items out of compliance listed above, you will be required to have a recheck or follow up visit to your home on or after **1/14/16**.

Please do not hesitate to contact me at DHS at 319-208-5521 or Kathy Huinker at 563-326-8215 if you have any questions regarding this letter.

Sincerely,

*Chad Reckling*

Chad Reckling  
Social Worker II

***MACHELLE PEZLEY***

Machelle Pezley  
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 1-866-324-3236.

As you plan your future trainings to meet your 24 hours of training requirement, please remember that you need to use only DHS approved training and only 12 hours can be by self-study. You can access the approved training by going to [http://www.dhs.state.ia.us/Consumers/Child\\_Care/Professional\\_Development.html](http://www.dhs.state.ia.us/Consumers/Child_Care/Professional_Development.html) and you can sign up for 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).