



# Iowa Department of Human Services

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

10/18/13

Nancy Torres  
12 Video Court  
Iowa City, Iowa 52240

Dear Nancy,

I appreciate your working with me to complete the spot check. Here is the website to check out pac'n'plays that have been recalled to ensure you do not have one that is unsafe-<http://www.cpsc.gov/>

Here is the department's site for training information. This site has approved trainings listed.[http://www.dhs.iowa.gov/Consumers/Child\\_Care/Professional\\_Development.html](http://www.dhs.iowa.gov/Consumers/Child_Care/Professional_Development.html)

When you read this letter it may seem a bit overwhelming. I would suggest you sit down, take a deep breath and remember you have 30 days to get these items into compliance.

This letter is in regards to the October 16, 2013 compliance check of your Category A, 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:

It should be noted Nancy Torres shared she had the water pipes in her home burst 5 days ago which caused significant water damage. All her files with her child care information including children's files, her provider files, copies of training certificates, etc. were destroyed. As a result she was unable to be in compliance with a number of areas due to paperwork no longer existing.

110.4 No more children are in care than the rules for the specific category will allow.

**Reason determined out of compliance: When I arrived you had six preschool children in care counting your daughter. While I was present a seventh preschool child arrived putting you one over the maximum number of children allowed as a Category A Registered Home. You did call a parent to come get their child to reduce your numbers and get in compliance.**

**How to correct: Never have more than six preschool children in your care at any one time.**

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

**Reason determined out of compliance: You have a number of items out of compliance that need correcting. Items that need immediate attention include providing care to no more children than allowed as a Category A provider (6 preschool children), covering the electrical outlets in the living room and next to the front door, removing the slide that does not have a soft landing under it from your outdoor play area, replacing your first-aid kit and not allowing children to sleep in an infant swing.**

**How to correct: Correct all items determined to be out of compliance by my follow up**

**visit on December 2, 2013.**

110.5(1)a Numbers for police, fire, ambulance, poison information posted by phone.

110.5(1)a Numbers for each child's parent, physician, and a responsible person are accessible by the phone.

**Reason determined out of compliance: You did not have these numbers posted by your phone. If you use your cell phone as your primary phone you would need to have all those numbers loaded in your phone.**

**How to correct: You can use the form I left with you to meet this requirement.**

110.5(1)c First-Aid supplies are available and easily accessible in the home, outdoor play area, any vehicle used to transport children, and on field trips.

110.5(1)c The first-aid kit is sufficient to address first aid related to minor injury or trauma and stored in an area not accessible to children.

**Reason determined out of compliance: You shared you recently lost the first-aid kit in the water damage.**

**How to correct: You need to replace this first-aid kit as soon as possible. I have attached a list of items you need to have in the first-aid kit.**

110.5(1)e Electrical wiring shall be maintained.

110.5(1)e All accessible electrical outlets are safely capped.

**Reason determined out of compliance: I observed electrical outlets in the living room and next to the front door that did not have safety caps on them.**

**How to correct: Place safety caps on these outlets as soon as possible.**

110.5(1)h A safe outdoor play area is maintained in good condition throughout the year.

**Reason determined out of compliance: I observed you have a slide that is over than 18 inches in height that does not have a soft landing surface under it in your outdoor play area.**

**How to correct: You have agreed to remove this item from the outdoor play area.**

110.5(1)k Fire and tornado drills are practiced monthly and documentation kept.

**Reason determined out of compliance: You lost your form you used for this in the water damage.**

**How to correct: Begin using the form I left you to record your monthly fire and tornado drills.**

Date practiced-

110.5(1)m Has not less than one 2A 10BC rated fire extinguisher in a visible and readily accessible place on each child-occupied floor.

**Reason determined out of compliance: I observed you have a 1A 10 BC rated fire extinguisher. It was not located in a place that is visible.**

**How to correct: Purchase a 2A 10 BC rated fire extinguisher and if you place it in the closet have a sign indicating that is where it is.**

110.5(1)n Each smoke detector has been installed according to manufacturer's recommendations.

**Reason determined out of compliance: I observed the smoke detector in the living room did not have a battery in it.**

**How to correct: Replace the battery for this smoke detector as soon as possible.**

110.5(1)n Each smoke detector is tested monthly, and a record is kept for inspection purposes.

**Reason determined out of compliance: You lost your form used for this in the water damage.**

**How to correct: Begin using the form I left you to record your monthly testing of your smoke detector batteries.**

**Date tested-**

110.5(1)p Children under the age of one year are placed on their backs for sleeping unless otherwise authorized in writing by a physician.

**Reason determined out of compliance: I observed your 5 month old nephew asleep in an infant swing. Infant swings cannot be used for sleeping.**

**How to correct: Once this was pointed out you removed this child from the swing and placed them on their back. Always put a child under the age of one on their back for sleeping unless you have written authorization from a doctor to do otherwise.**

110.5(1)u The provider has written policies about caring for mildly ill children and the exclusion of children due to illness, and informs parents of policies.

110.5(1)v The provider has written policies about responding to health-related emergencies.

**Reason determined out of compliance: Your policies were destroyed by the water damage you recently suffered.**

**How to correct: Re-write your policies for mildly ill and health-related emergencies using the handout I gave you as a reference guide.**

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

**All these items were destroyed when you water pipes burst. Try to get copies or some type of documentation you have completed these required trainings and copies of a physical for all household members done with the past 2 years. You will need immunization records for all household members as well. For adults we need documentation you have been immunized for Measles, Mumps and Rubella, polio and tetanus diphtheria.**

110.5(2)a A physician's signed statement of health and immunization status on the provider and all members of the household who may be present when children are in the home. Statements must be obtained at the time of initial registration and updated every two years.

110.5(2)b Certificates or training verification documentation for:

110.5(2)b Within the first three months of registration:

110.5(2)b Two hours of approved child abuse and neglect mandatory reporter training (and every 5 years thereafter.)

Expiration date-

110.5(2)b Certification by an approved trainer/organization in infant and child first-aid that includes mouth-to-mouth resuscitation. Certification will be maintained throughout period of registration. 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.

Expiration date-

110.5(2)c An individual file is maintained for each staff assistant and contains:

110.5(2)c A completed DHS Criminal History Record Check, form B, 595-1396

110.5(2)c A completed Request for Child Abuse Information, form 470-0643

**You need to complete a new application adding your husband as an assistant and substitute. Check the change box at the top and then put his information in the middle section were it says assistant/substitute.**

110.5(2)c A physician's signed statement of health and immunization status at the time of employment and at least every two years thereafter.

**These items were destroyed when you water pipes burst. Get copies of this information for me to review at the follow up visit on December 2, 2013.**

110.5(2)c 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.

**Reason determined out of compliance: You stated your husband has not taken this training.**

**How to correct: He can take this training at the following website-**

WHO: This training is designed for child care providers

WHAT: **Mandatory Child Abuse Reporter Training for Child Care Providers**

WHERE: On-Line, start at this link <http://dhs.training-source.org> or at [idph.state.ia.us/hcci/events.asp](http://idph.state.ia.us/hcci/events.asp)

Expiration date-

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

110.5(2)d A completed DHS Criminal History Record Check, form B, 595-1396.

110.5(2)d A completed Request for Child Abuse Information, form 470-0643

**You need to complete a new application adding your husband as an assistant and substitute. Check the change box at the top and then put his information in the middle section were it says assistant/substitute.**

110.5(2)d A physician's signed statement of health of at the time of employment and at least every two years thereafter.

**These items were destroyed when you water pipes burst. Get copies of this information for me to review at the follow up visit on December 2, 2013.**

110.5(2)d 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.

Expiration date-

110.5(2)d 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.

**Reason determined out of compliance: You stated your husband has not taken these required courses.**

**How to correct: The websites for the Mandatory report training are listed above.**

**For classes in first-aid and CPR you can call Child Care Resource and Referral @ 563/324-3239 ext. 1421, Red Cross, or Kirkwood Community College.**

**First-aid-  
CPR-**

110.5(8) Children's Files

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

**These items were destroyed when you water pipes burst. Get copies of this information as soon as the parents can get it to you. Please have them sign a new Child. Intake Sheet and Emergency Medical Authorization as soon as possible. I will review the files when I do my follow-up visit on December 2, 2013.**

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.

110.5(8)b Emergency information including where the parent can be reached, the name, street address, city and telephone of the child's regular doctor, and the name number, telephone number, and relationship to the child of another adult available in case of emergency.

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

110.5(8)d For infants and preschoolers: An admission physical examination, on the first day of attendance, including past health history, status of present health, allergies and restrictive conditions, and recommendations for continued care when necessary. The date of the exam is not more than 12 months before the child's first day of attendance.

110.5(8)e For infants and preschoolers: A statement of health signed by a physician submitted annually.

110.5(8)f A list signed by the parent which names persons authorized to pick up the child, their telephone number, and relationship to the child.

110.5(8)g A signed and dated immunization certificate provided by the state department of public health.

110.5(9) The provider meets the following requirements:

110.5(9)d If absence is planned, care is provided by a DHS-approved substitute.

**Reason determined out of compliance: You shared you have been using your husband as a substitute. He does not have the required trainings to be a substitute. He is not approved by DHS to be a substitute.**

**How to correct: Add him to your application as a substitute and have him take the required training in Mandatory Reporter of Child Abuse and first-aid and CPR.**

110.5(10) Substitutes

110.5(10)a All standards regarding supervision and care of children apply to substitutes.

**Reason determined out of compliance: You shared you have been using your husband as a substitute. He does not have the required trainings to be a substitute. He is not approved by DHS to be a substitute.**

**How to correct: Add him to your application as a substitute and have him take the required training in Mandatory Reporter of Child Abuse and first-aid and CPR**

110.8(1) SPECIFIC REQUIREMENTS FOR CHILD DEVELOPMENT HOME CATEGORY "A"

110.8(1)a Not more than six preschool children present at any one time including infants.

**Reason determined out of compliance: On October 16, 2013 I observed 7 preschool children in your care.**

**How to correct: You signed a Corrective Action Plan agreeing to provide care to no more than the maximum number of children allowed as a Category A provider.**

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 the follow-up visit scheduled for December 2, 2013.**

Based on the items out of compliance listed above, you will be required to have a recheck or follow up visit to your home. This visit will occur on December 2, 2013 at 10:30 a.m.

Please do not hesitate to contact me at DHS at 319/892-6803 or toll free 866/534-3112 if you have any questions regarding this letter.

Sincerely,

Dale Garlinghouse  
Social Worker II

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 your Child Care Resource and Referral worker Tessa Amato at 563/324-3236- ext. 1428.

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).