

March 23, 2012

Tisha Lopez-Garcia  
1920 15th Ave., Lot #53  
Kearney, NE 68845

Dear Ms Lopez-Garcia:

This letter is written to request that you submit to Marsha Wandersee in the Licensure Unit by return mail, within the next seven (7) days, your current License to operate as a Provisional Family Child Care Home I in the State of Nebraska. This request is being made since said License has been revoked, effective March 22, 2012, by the Notice of Revocation issued on March 7, 2012 by Joann Schaefer, MD, Chief Medical Officer and Director, Division of Public Health, Department of Health and Human Services.

If you have any questions, please contact Child Care Licensing at (402) 471-9302.

Sincerely,



Helen L. Meeks, Administrator  
Licensure Unit

HLM/dcp

cc: Child Care Licensing



On September 28, 2011, Children's Services Licensing staff delivered an Emergency Order signed by the Director and Chief Medical Officer of the Nebraska Department of Health and Human Services, Division of Public Health, immediately suspending Lopez-Garcia's Provisional Family Child Care Home I license and prohibiting her from providing child care to any children. At the time the Emergency Order was delivered, nine (9) children were in care at Lopez-Garcia's program.

On this same date, the Kearney Police Department cited Lopez-Garcia for nine counts of Commit Child Abuse Negligently, a Class One Misdemeanor.

On January 16, 2012, Lopez-Garcia was found guilty of one count of Commit Child Abuse Negligently in the County Court of Buffalo County. The remaining counts were dismissed.

Based on the facts presented above, the Department is revoking Lopez-Garcia's Provisional Family Child Care Home I license. Lopez-Garcia must send her Family Child Care Home I license to Marsha Wandersee at the address listed below seven (7) days after this action becomes final.

**BE ADVISED:**

That according to Nebraska Revised Statutes, section 71-1922, the action in this Notice shall become final on March 22, 2012, which is fifteen days after the mailing of this Notice unless the Department, within such fifteen-day period, receives a written request for a hearing. The license shall continue in effect until the final order of the director if a hearing is requested. If the director does not receive such request within such fifteen-day period, the action of the Department is final.

If you decide to request a hearing, your written request for hearing must be received by the Department no later than March 22, 2012, which is fifteen days after the mailing of this Notice. It should be addressed to:

Marsha Wandersee, for DHHS  
Children's Services Licensing  
Licensure - Division of Public Health  
P.O. Box 94986  
Lincoln, NE 68509-4986

**If you request a hearing, you will be notified of the time, date and place of the hearing and other pertinent information, by separate notice. On the basis of such hearing, the director will affirm, modify or rescind the determination of the Department. Be advised that pursuant to Nebraska Revised Statutes, section 71-1920, upon completion of any hearing held, the director may impose any or a combination of any of the following: probation, suspension, revocation, civil penalty, restrictions of new enrollment, restrictions or other limitations on the number of children or the ages of the children served in the program, or other restrictions or limitations on the type of service provided by the program. On the basis of the hearing, a modification by the director may include sanctions important to your program, up to and including the loss of your license.**

Nebraska Revised Statutes, section 71-1911, provides that a person who has had their "license suspended or revoked other than for nonpayment of fees shall not operate or offer to operate a program for or provide care to

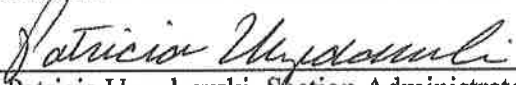
any number of children until the person is licensed pursuant to this action.” In addition, section 71-1920, (2), states that “a person who has had a license revoked for any cause other than nonpayment of fees shall not be eligible to reapply for a license for a period of two years.”

Nebraska Revised Statutes, section 71-1923 of the Child Care Licensing Act, provides that “a licensee may voluntarily surrender the license issued under the Child Care Licensing Act at any time, except that the Department may refuse to accept a voluntary surrender of a license if the licensee is under investigation or if the Department has initiated disciplinary action against the licensee.”

Title 391 of the Nebraska Administrative Code, section 4-001.04, also provides that the “licensee shall not transfer the license to a household member or current staff member while a ...revocation action is still pending.” In addition, Title 391 of the Nebraska Administrative Code, section 3-001.08, provides that “amended applications will not be processed whenever a negative license action is pending.”

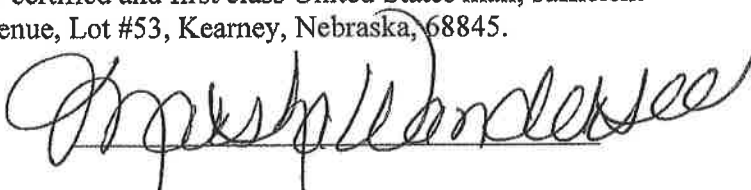
Dated: MARCH 7, 2012

**Joann Schaefer, M.D.**  
**Chief Medical Officer**  
**Director, Division of Public Health**  
**Department of Health and Human Services**

  
By: Patricia Urzedowski, Section Administrator  
Children's Services Licensing  
Licensure Unit - Division of Public Health  
Nebraska Department of Health and Human Services  
P.O. Box 94986  
Lincoln, NE 68509-4986

**CERTIFICATE OF SERVICE**

**COMES NOW**, the undersigned and certifies that on the 7th day of March, 2012, a copy of the foregoing **NOTICE OF REVOCATION** was sent by certified and first class United States mail, sufficient postage prepaid, to Tisha Lopez-Garcia, 1920 15<sup>th</sup> Avenue, Lot #53, Kearney, Nebraska, 68845.





October 20, 2011

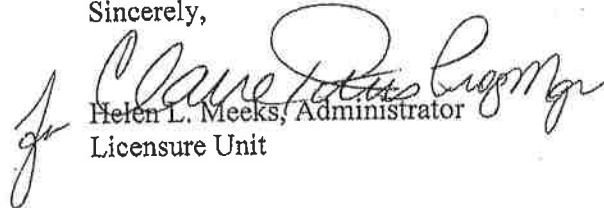
Tisha Lopez-Garcia  
1920 15<sup>th</sup> Avenue, Lot #53  
Kearney, NE 68845

Dear Ms. Lopez-Garcia:

This letter is written to request that you submit to Marsha Wandersee in the Licensure Unit by return mail your current License to operate as a Family Child Care Home I in the State of Nebraska. This request is being made since said license remains suspended by Emergency Order of September 28, 2011 and since you did not appeal the Emergency Order by or on October 13, 2011.

Please contact Marsha Wandersee at 402-471-9302 if you have any questions.

Sincerely,



Helen L. Meeks, Administrator  
Licensure Unit

HLM/mrw

cc: Children's Services Licensing

**THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC HEALTH  
STATE OF NEBRASKA**

**IN THE MATTER OF**

**TISHA LOPEZ-GARCIA  
A Family Child Care Home I**

)  
) **EMERGENCY ORDER**  
) **PROTECTIVE ORDER**  
)

This matter comes for consideration on the Motion for an Emergency Order and Motion for Protective Order filed by the Nebraska Department of Health and Human Services, Division of Public Health. The Chief Medical Officer and Director, Division of Public Health, having reviewed the Motion and accompanying Affidavits, finds as follows:

1. Tisha Lopez-Garcia holds a provisional Family Child Care Home I License, located at 1920 15<sup>th</sup> Ave Lot #53, Kearney, NE 68845.
2. An emergency exists requiring immediate action to protect the physical well being and safety of a child or children in the care of Tisha Lopez-Garcia.

**WHEREFORE, IT IS ORDERED:**

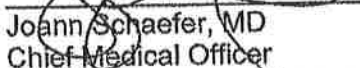
1. Pursuant to Nebraska Revised Statutes §71-1915, the child care license of Tisha Lopez-Garcia is hereby and immediately suspended, and Tisha Lopez-Garcia is hereby and immediately prohibited from providing child care to any children until she corrects all violations to the satisfaction of the Department and obtains Fire Marshal approval for the entire premises. Upon application to the Director within fifteen days of this Order, Ms. Lopez-Garcia shall be afforded a hearing as soon as possible and within ten days of the application, unless she requests that the hearing be held later. Any such application should be addressed to: Marsha Wandersee, for DHHS, Children's Services Licensing Licensure -Division of Public Health, P.O. Box 94986, Lincoln, NE 68509-4986.

2. Any reference in this matter to any child enrolled in the above child care program or any child residing in the home shall be made by the use of the initial letters of the child's first and last name.

3. Any information which is confidential by state statute shall not be released to the public.

DATED this 28 day of September, 2011.

**NEBRASKA DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**



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Joann Schaefer, MD  
Chief Medical Officer  
Director, Division of Public Health  
Department of Health and Human  
Services

**THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC HEALTH  
STATE OF NEBRASKA**

IN THE MATTER OF

**TISHA LOPEZ-GARCIA**  
A Family Child Care Home I

)  
) **MOTION FOR EMERGENCY ORDER;**  
) **MOTION FOR PROTECTIVE ORDER**  
)

**COMES NOW** the Department of Health and Human Services, Division of Public Health and pursuant to Neb. Rev. Stat. §71-1915 moves the Chief Administrator, Division of Public Health to declare an emergency and issue an Emergency Order suspending the child care license of Tisha Lopez-Garcia, 1920 15<sup>th</sup> Ave Lot #53, Kearney, NE 68845 and prohibiting Ms. Lopez-Garcia from providing care for any children. Ms. Lopez-Garcia has a provisional license as a Family Child Care Home I at 1920 15<sup>th</sup> Ave Lot #53, Kearney, NE 68845. Her operating hours are Monday through Sunday, 12:00 a.m. to 12:00 p.m. The Department also requests that a Protective Order be entered pursuant to Neb. Rev. Stat. §84-914(2) to protect the privacy of any minor children whose identity may be revealed during the course of these proceedings, and to ensure the confidentiality of any information which is deemed confidential by state statute.

The Department requests the following:

1. That any reference to any child enrolled in the above child care program or any foster child residing in the home or any child of the licensee be made by the use of the initial letters of the child's first and last name.
2. That any information which is confidential by state statute be protected from release to the public.


In support of its motion the Director is shown the accompanying affidavits of Lori Altmaier, Child Care Inspection Specialist, and Patricia Urzedowski, Administrator, Office of Children's Services Licensing.

**WHEREFORE** the Department moves the Director of the Division of Public Health for an Emergency Order suspending the child care license of Tisha

Lopez-Garcia and prohibiting Ms. Lopez-Garcia from providing care for any children until she corrects all violations and obtains Fire Marshal approval.

**Nebraska Department of Health  
and Human Services**

Dated: 9-28-11

  
Teresa M. Hampton #16746  
P.O. Box 95026  
Legal Services  
Department of Health and Human  
Services  
Lincoln, Nebraska 68509-5026  
(402) 471-4051  
Its Attorney

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC HEALTH  
STATE OF NEBRASKA

IN THE MATTER OF )

TISHA LOPEZ -- GARCIA )  
A FAMILY CHILD HOME I )

AFFIDAVIT

STATE OF NEBRASKA )

COUNTY OF LANCASTER )

)  
) ss  
)

Comes now Affiant, Patricia Urzedowski, being first duly sworn, and states as follows:

1. I am employed as the Administrator of the Office of Children's Services Licensing with the Nebraska Department of Health and Human Services Division of Public Health (hereinafter "Department").
2. The records of the Department show that Tisha Lopez -- Garcia holds a Family Child Care I provisional license at 1920 15<sup>th</sup> Ave Lot # 53, Kearney, NE 68845.
3. In my capacity as Administrator of the Office of Children's Services Licensing, I am the custodian of all licensing records for licensed Child Care Programs.
4. Based on the information contained in the Affidavit signed by Lori Altmaier, Child Care Inspection Specialist with the Department of Health and Human Services, Division of Public Health, Tisha Lopez - Garcia has violated the following Child Care Licensing Regulations:
  - a. 391 NAC 6-001 Provider
    - ... The child care provider must understand and be familiar with the rules for Family Child Care Homes.
    - ...A "Children's Record" will be completed before enrollment, and kept current for each child in care.
  - b. 391 NAC 6-006 License Capacity and Child/Staff Ratio: The child care provider shall maintain compliance with the child/staff ratios as indicated below:
    - ... Chart describes Family Child Care Home I serving children who are "mixed age" maximum of eight (8) children when three (3) infants are present and a maximum of ten (10) children when no more than two (2) infants are present. Two (2) of the children must be school age.

...Family Child Care Home I and II providers serving mixed ages may provide care for no more than two additional school-age children during non-school hours as long as no more than two children are under 18 months of age.

c. 391 NAC 6-007.01 Facility - Overall

The child care provider shall ensure that at least 35 square feet of indoor space per child (excluding areas not designated for child care) is available.

... The child care provider shall ensure that all cleaning agents and poisons are kept in locked storage.

...The child care provider shall ensure that doors opening to the outside are self-closing (except for sliding doors), and all windows used for ventilation are screened.

...Tornado drills will be practiced with the children a minimum of four times per year from March through September. A written tornado safety plan and documentation of drills will be available for review upon request.

...The grounds will be kept neat and clean and free from rodents and accident hazards.

...Accident hazards, such as flammable materials, deep pools, farm and lawn equipment, will be inaccessible. Potential accident hazards such as uncovered wells, broken glass, boards containing nails, and other debris will be eliminated.

d. 391 NAC 6-007.03 Water Supply

...The child care provider shall ensure that the water temperature of the bathroom sink is at least 100 degrees Fahrenheit, but no greater than 120 degrees Fahrenheit.

e. 391 NAC 6-007.08 Fences

If there are unsafe areas such as drainage ditches, wells, holes, heavy machinery, railroad tracks, bodies of water, heavy street traffic, or other hazards in or near the outdoor play area, a fence is required.

f. 391 NAC 6-008 Fire Safety

... The child care provider shall ensure that a Fire Safety approval is maintained for the child care facility for the license to be effective.

...There will be at least two unblocked exits approved by the State Fire Marshal from every floor on which child care is provided.

...All storage areas will be free of excessive combustibles or highly flammable materials.

...Fire drills will be practiced with the children a minimum of six times per year in alternating months. A written evacuation plan and documentation of drills will be available for review upon request.

...Operating, properly mounted smoke detection equipment will be required in child care areas.

g. 391 NAC 6-009.02G Storage (of Medications)

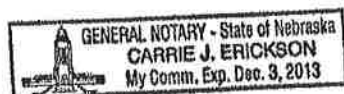
The child care provider shall ensure that all prescription and over the counter medications will be kept in locked storage. Separate locked storage will be provided for medications requiring refrigeration.

Further affiant saith not.

*Patricia Urzedowski*

Patricia Urzedowski, Administrator  
Office of Children's Services Licensing

Subscribed and sworn before me this 28 day of September, 2011.



*Carrie J. Erickson*  
Notary Public

**THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC HEALTH  
STATE OF NEBRASKA**

**IN THE MATTER OF** )  
 )  
**TISHA LOPEZ-GARCIA** )  
**Family Child Care Home I** )

**AFFIDAVIT**

**STATE OF NEBRASKA** )  
 )  
**COUNTY OF BUFFALO** )ss

Comes now Affiant, Lori Altmaier, being first duly sworn, and states as follows:


1. I am employed as a Child Care Inspection Specialist with the Nebraska Department of Health and Human Services, Division of Public Health, Office of Children's Services Licensing (hereinafter "Department").
2. The records of the Department show that Tisha Lopez-Garcia (hereinafter "Lopez-Garcia"), is the owner of Tisha Lopez-Garcia a provisional Family Child Care Home I license at 1920 15<sup>th</sup> Avenue, Lot 53, Kearney, NE 68845.
3. Based on the below information, it is my professional opinion that there is an immediate risk of harm to children in care and this is an emergency situation which requires immediate action to protect the physical well-being and safety of children enrolled in this child care program which operates 24 hours per day, seven days a week.
  - A. During a complaint inspection on August 25, 2011 with Child and Family Services and Kearney Police Department, the second exit of the mobile home was blocked with items stacked up against it. The back bedroom was very cluttered with clothes all over it. The playroom floor was covered with toys and broken toys. There was very little room to walk in both rooms. There was also a large television sitting on the washer and dry with the cord hanging down low enough that a child could pull it down on them. There was also a bag of prescriptions medications sitting on the bed in the back bedroom
  - B. During a 60 day Inspection on August 29, 2011 the inside pathway to the second exit was cleared. The playroom and back bedroom were still cluttered and had debris and toys on the floor. Garcia-Lopez also violated the following Child Care Licensing regulations:
    - 1) Children's records were not complete.

- 2) There were 10 children in care, including 3 infants, violating child/staff ratio.
  - 3) 35 square feet per child of space was not available for ten (10) children which is the capacity requested by the licensee.
  - 4) Locked storage for cleaning supplies and laundry detergents was not available.
  - 5) The front door was not self-closing.
  - 6) A written tornado safety plan was not available.
  - 7) There was a lawn mower, tools and lumber in the outdoor play area.
  - 8) The water temperature at the bathroom sink was 144 degrees F.
  - 9) There were no individual towels in the bathroom.
  - 10) The outdoor play area was partially fenced, there was an opening by the storage shed.
  - 11) A written fire evacuation plan was not available.
  - 12) Smoke detectors were not hard wired or inter-connected as required.
  - 13) The first aid kit was not complete. Tweezers, scissors and a thermometer were missing.
  - 14) Locked storage for medications and refrigerated medications was not available.
  - 15) Infants' bottles were not labeled.
- C. During a follow-up inspection on September 19, 2011, the areas used for child care were measured and it was determined that the maximum children allowed would be seven (7). At the beginning of the inspection, there were ten (10) children in care and none of them were school-age children, in violation of child/staff ratio. The playroom still had debris and papers on it and needed to be vacuumed. Also, there were cleaning supplies in the bathroom that were not in locked storage.
- D. A State Fire Marshal Order Form disapproving Lopez-Garcia was received on 9-26-2011. This Order states, in part,
- "The above facility DOES NOT provide reasonable safety to life in case of fire, and is DISAPPROVED at this time. Upon correction of listed deficiencies a revisit inspection shall be conducted. Until that time this facility SHALL NOT be used for a Day Care Home.
- There are no back steps to the home. When you open the back door it hits a communication/phone box and is an obstructed exit that could be harmful to someone trying to use it in case of an emergency. As per the following code provisions, two means of (operable and practical) emergency escape are required."
- E. A follow-up inspection was conducted on September 27, 2011, with the State Fire Marshal and Kearney Police Department. The following violations were observed:

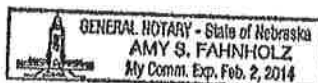
- 1) The second exit of the mobile home was still obstructed. Further, there are no stairs from the second exit which has a drop of approximately three (3) feet to the ground.
- 2) Eleven (11) children were in care. None of the children in care were school age. The licensee was informed on September 19, 2011 that the license capacity was limited to seven (7) children based on the available space.
- 3) Cleaning supplies and laundry detergent were not in locked storage.
- 4) Medications were not in locked storage.
- 5) Fire and Tornado Evacuation Plans were not written and were not available for review.
- 6) Children's records were not complete. Missing documents include: medical information for five (5) children; an emergency name and phone number for two (2) children, consent to contact a physician in an emergency for two (2) children, a signed receipt of Parent Handbook for one (1) child.
- 7) Water temperature was 142 degrees Fahrenheit - 22 degrees over the maximum allowed water temperature.
- 8) No doors were self-closing.
- 9) The window in the play area was not screened.
- 10) There was a refrigerator, boards, a tire, an old cabinet, and lawn mower in the outdoor play area.

A copy of the Report from the Fire Marshal is attached and incorporated herein by this reference.

My professional opinion is that an Order should be entered prohibiting Tisha Lopez-Garcia, Licensee of a Family Child Care Home I, from providing child care until such time that a hearing on this issue, if requested, can be held.

  
Lori Altmaier  
Child Care Inspection Specialist

Subscribed and sworn before me this 28<sup>th</sup> day of September, 2011.



  
Notary Public

STATE OF NEBRASKA - STATE FIRE MARSHAL

246 South 14<sup>th</sup> Street  
Lincoln, NE 68508-1804

ORDER FORM

V-010106

ORDER NUMBER..... 87162731  
DATE OF INSPECTION..... 9-27-11  
OWNER..... Tisha L. Lopez-Garcia  
OCCUPANT..... Tisha Lopez Day Care  
ADDRESS..... 1920 15<sup>th</sup> Avenue Lot #53  
CITY/TOWN..... Kearney, NE 68845  
COUNTY..... Buffalo  
HOW OCCUPIED..... Child Care Home I

FEE CARD YES  NO  REVISIT DATE

ORDER

-Fee sheet withheld until corrections are made. Currently DISAPPROVED.  
-Reference previous order #87162725.  
-Note: The referral originally requested 12 children but due to the square footage occupancy calculations there shall be no more than 7 (seven) children at any given time in the home. - Also see below code reference that pertains to number of children and number of care givers.

1) The above facility DOES NOT provide reasonable safety to life in case of fire, and is DISAPPROVED at this time. \*Reasons given below.\* Upon correction of listed deficiencies a revisit inspection shall be conducted. Until that time this facility SHALL NOT be used for a Day Care Home.  
--This is a follow-up inspection to check the progress on the first order and inspection.

2) There are no back steps to the home. When you open the back door it hits a communications / phone box and is an obstructed exit that could be harmful to someone trying to use it in case of an emergency. As per the following code provisions, two means of (operable and practical) emergency escape are required.  
- Means of egress shall be continuously maintained free of all obstructions or impediments to full instant use in the case of fire or other emergency. LSC, 7.1.10.1  
- Means of escape shall comply with Section 24.2, NFPA 101, Life Safety Code 16.6.2.1  
- In any dwelling or dwelling unit of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape. 24.2.2.1  
- The Secondary Means of Escape requirements of NFPA 101, Life Safety Code 24.2.2.3 and 16.6.2.4.3 are NOT MET as the windows do not meet the requirements of an egress window - they do not have 5.7 squarefeet of clear width and need to be no more than 44 inches off of the floor.  
(The back door needs stairs with hand rails) per the following code:  
- Stairs and ramps shall have handrails on both sides. LSC 7.2.2.4.1.1.

3) It is strongly recommended that an electrician visits your facility to correct wiring problems and add more hard-wired receptacles. The outlets in several areas are in need of repair. All faulty outlets shall be replaced and a licensed electrician or the city's electrical inspector needs to inspect all of the meters and wiring behind the home. NFPA 70, NEC 110.3, 406.3

STATE OF NEBRASKA – STATE FIRE MARSHAL

246 South 14<sup>th</sup> Street  
Lincoln, NE 68508-1804

**ORDER FORM**

V-010106

- 4) Hard-wired, interconnected smoke detectors shall be installed. One in the living room, one in the hall (laundry area) and one in each bedroom.
- Smoke detectors, powered by the house electrical power, shall be installed on each level and shall be provided in all rooms used for sleeping. Detectors shall be interconnected. (If one "goes off," they all "go off.") 11-8.3.4; NFPA LSC 2000: 16.6.3.4.3

NOTE: Concerning the maximum number of children, as referenced above: The minimum staff-to-client ratio is 1:6 -- One adult staff member per six children. Use the referenced codes below to ensure a proper 'span of control ratio' for the clients safety.

- Requirements for family day-care homes are based on a minimum staff-to-client ratio of one staff member for up to six clients, including the caretaker's own children under age six, with the number of clients incapable of self-preservation not to exceed two.

"Family Day-Care Home," as defined by the Life Safety Code:

- A family day-care home is a day-care home in which more than three, but fewer than seven, clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day, generally within a dwelling unit.

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If you have questions on this Order, contact the District C State Fire Marshal Office at 308.535.8181.

Or mail at: State Fire Marshal Office, District C-Craft State Office Bldg., 200 South Silber, North Platte, NE, 69101-4200

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*All items must be corrected to comply with the laws of the State of Nebraska and with rules and regulations adopted by the Nebraska State Fire Marshal as mandated by Sections 81-502 to 81-541.01*

*It is the duty of the owner or person in charge of the above-named facility or location to immediately take measures to bring the facility into compliance with state regulations.*

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**ALL CORRECTIONS SHALL BE MADE AND**

**ALL ITEMS CORRECTED ON OR BEFORE:**

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Any damage proximately caused by a failure to remedy the above listed deficiencies shall be deemed to be the sole responsibility of the owner or person in charge by virtue of this notification and order.

Witness my electronically typed name at Minden, Nebraska, this day of 9-28-11.

By: Todd Wright 8716  
DEPUTY STATE FIRE MARSHAL

Phone Number: (308) 830-1219

**THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC HEALTH  
STATE OF NEBRASKA**

**IN THE MATTER OF**

**TISHA LOPEZ-GARCIA  
A Family Child Care Home I**

)  
) **EMERGENCY ORDER**  
) **PROTECTIVE ORDER**  
)

This matter comes for consideration on the Motion for an Emergency Order and Motion for Protective Order filed by the Nebraska Department of Health and Human Services, Division of Public Health. The Chief Medical Officer and Director, Division of Public Health, having reviewed the Motion and accompanying Affidavits, finds as follows:

1. Tisha Lopez-Garcia holds a provisional Family Child Care Home I License, located at 1920 15<sup>th</sup> Ave Lot #53, Kearney, NE 68845.
2. An emergency exists requiring immediate action to protect the physical well being and safety of a child or children in the care of Tisha Lopez-Garcia.

**WHEREFORE, IT IS ORDERED:**


1. Pursuant to Nebraska Revised Statutes §71-1915, the child care license of Tisha Lopez-Garcia is hereby and immediately suspended, and Tisha Lopez-Garcia is hereby and immediately prohibited from providing child care to any children until she corrects all violations to the satisfaction of the Department and obtains Fire Marshal approval for the entire premises. Upon application to the Director within fifteen days of this Order, Ms. Lopez-Garcia shall be afforded a hearing as soon as possible and within ten days of the application, unless she requests that the hearing be held later. Any such application should be addressed to: Marsha Wandersee, for DHHS, Children's Services Licensing Licensure -Division of Public Health, P.O. Box 94986, Lincoln, NE 68509-4986.

2. Any reference in this matter to any child enrolled in the above child care program or any child residing in the home shall be made by the use of the initial letters of the child's first and last name.

3. Any information which is confidential by state statute shall not be released to the public.

DATED this 28 day of September, 2011.

**NEBRASKA DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**

  
\_\_\_\_\_  
Joann Schaefer, MD  
Chief Medical Officer  
Director, Division of Public Health  
Department of Health and Human  
Services