

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


**FILED**  
AUG 23 2013  
DHHS Hearing Office

IN THE MATTER OF )  
 ) 12-3097  
 ) 13-1916  
SARAH SANDERSON d/b/a )  
WIGGLES & GIGGLES DAYCARE ) ORDER ON AGREED SETTLEMENT  
Family Child Care Home II )

This matter came before the Director of the Division of Public Health on the Department's Motion for Approval of Agreed Settlement. The Director having considered said Motion and Agreed Settlement:

1. Approves the Agreed Settlement;
2. Finds the facts as set out in paragraph 6 of the Agreed Settlement as true and correct and as adopted herein; and
3. Orders the parties to comply with all of the terms of the Agreed Settlement.

DATED this 23 day of AUGUST, 2013

  
Joseph M. Acierno, MD, JD  
Chief Medical Officer  
Director, Division of Public Health  
Department of Health and Human Services

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## CERTIFICATE OF SERVICE

The undersigned certifies that on the 23<sup>rd</sup> of August 2013 true and correct copies of the foregoing Order on Agreed Settlement were served upon the parties by sending the same by certified United States mail, sufficient postage prepaid, to Amy Patras, attorney for Sarah Sanderson, at Crites, Shaffer, Connealy, Watson & Patras, P.C., L.L.O., 201 E. Third St., P.O. Box 1070, Chadron, NE 69337, and electronically to Amy Patras at [cscwh@bbc.net](mailto:cscwh@bbc.net) and to Teresa M. Hampton, Attorney for the Department, at [Teresa.Hampton@nebraska.gov](mailto:Teresa.Hampton@nebraska.gov).

~~XXXXXXXXXXXXXXXXXXXX~~  
DHHS Hearing Office  
P.O. BOX 98914  
Lincoln, NE 68509-8914  
(402)371-7237 F. (402)742-2376

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

IN THE MATTER OF	)	12-3097
	)	13-1916
SARAH SANDERSON d/b/a	)	
WIGGLES & GIGGLES DAYCARE	)	AGREED SETTLEMENT
Family Child Care Home II	)	

COMES NOW the Department of Health and Human Services, Division of Public Health (hereinafter "Department") and Sarah Sanderson d/b/a Wiggles & Giggles Daycare (hereinafter "Licensee"), and in consideration of the mutual covenants and agreements contained herein, agree as follows:

1. Licensee holds a Family Child Care Home II license issued by the Department, the executive agency of the state of Nebraska charged with administration of child care licensure statutes and regulations. The licensed location is: 183 Main Street, Harrison, NE 69346.
2. The program is licensed for a maximum of 12 children, six weeks to 13 years of age, Monday through Friday, 00:00 to 24:00. On November 14, 2012, the Department notified Licensee that her license was suspended pursuant to an Emergency Order for the reasons set out in the Emergency Order, Motion for Emergency Order and accompanying affidavits. A copy of those are on file herein and incorporated into this agreement by this reference. On July 15, 2013, the Department notified Licensee that it was proposing to discipline her license for the reasons set out in the Notice of Revocation (hereinafter Notice). A copy of that is on file herein and incorporated into this agreement by this reference.
3. Licensee is entitled to a hearing upon request after the issuance of an Emergency Order and of a Notice. Licensee filed timely written requests for hearing. A copy of the requests are on file herein and incorporated into this Agreement by this reference. Licensee hereby waives her right to an administrative contested case hearing and any right to judicial review of any order that approves the terms of this Agreed Settlement.

4. Paul Wess represented Licensee in this matter; however, due to his appointment to the County Court, Amy L. Patras, now represents the Licensee. Licensee at all times relevant to this and in connection with review and execution of this document has received the advice of legal counsel.
5. Licensee agrees that she and her representatives have the authority to enter into this Agreed Settlement. Licensee representative's signature below represents her entry into this Agreed Settlement freely, voluntarily and knowingly. No coercion, threats, or promises other than those stated herein were made to induce Licensee to enter into this Agreed Settlement.
6. Licensee admits that on November 2, 2012, she was caring for a two-year old child she believed was delayed in the development of his ability to verbally communicate. Licensee admits that Licensee hit such child when the child kept taking his glasses off, became angry, and started screaming in a high-pitched tone. Licensee admits she meant to "pop (gender) in the mouth and missed (gender) mouth and hit (gender) at the temple by (gender) right eye with her fingernail." Licensee admits she was cited for Assault in the third degree and that she did not report the citation to the Department. Licensee denies the remaining allegations contained in the Motion for an Emergency Order and the accompanying affidavits and in the Notice. Licensee agrees that the admitted conduct constitutes a violation of the regulations governing child care.
7. Licensee acknowledges she has received no representations from the Department or its employees or representatives of the effect this Agreed Settlement may have on her ability to obtain a license or other authorization document of any nature in this or any other state.
8. This Agreed Settlement does not constitute a waiver, suspension, or modification of the requirements of the Child Care Licensing Act or the regulations adopted thereunder which remain in full force and effect.

9. Licensee agrees to surrender her license in lieu of discipline. Licensee agrees that she cannot apply for a license to operate a child care program for two (2) years from the acceptance of the surrender of the license. The prohibition on applying for a license applies to Licensee and to any entity that she is involved with as an owner, member, or director.
10. Licensee agrees that she cannot work in any licensed child care program or provide care to any number of children except her own children and/or grandchildren until Licensee obtains a license to operate a child care program.
11. Licensee understands that this Agreed Settlement is not effective until it is approved by the Director of the Division of Public Health. If the Director of the Division of Public Health does not approve this Agreed Settlement, it shall become null and void and will not be admissible in a hearing in this matter. After the issuance of the Emergency Order in this matter, the Licensee's attorney and the Department's attorney have engaged in settlement discussions aimed at settling this matter. As the caption of this document indicates, this is an "Agreed Settlement." The parties have conducted these discussions with the intent that they constitute the accepting and offering or promising to accept a valuable consideration in compromising or attempting to compromise a claim, which was disputed. As such, it is the intent of the parties that those discussions are not admissible for any purpose under NEB. REV. STAT. §27-408 (Reissue 2008).

WHEREFORE, the parties request that an Order be entered approving and adopting the terms of this Agreement.

(Signature page follows)

AGREED TO:

Dated this 15 day of August, 2013.

SARAH SANDERSON D/B/A WIGGLES  
AND GIGGLES DAYCARE

By Sarah Sanderson  
Sarah Sanderson

Dated this 22 day of August, 2013.

Nebraska Department of Health  
and Human Services

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

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

**IN THE MATTER OF:** )  
**THE SUSPENDED FAMILY CHILD CARE HOME** ) **NOTICE OF**  
**HOME II LICENSE OF SARAH SANDERSON, D/B/A** ) **REVOCATION**  
**WIGGLES & GIGGLES DAYCARE** )

**LICENSED LOCATION: 183 MAIN STREET, HARRISON, NE, 69346**

**NOTICE:**

Sarah Sanderson (hereinafter referred to as “Sanderson”) is notified that the Department of Health and Human Services, Division of Public Health (hereinafter referred to as “Department”) is revoking Sanderson’s suspended Family Child Care Home II license for violation of the following:

**AUTHORITY:**

Nebraska Revised Statutes, section 71-1919, of the Child Care Licensing Act provides that “the Department may ... take disciplinary action against a license issued under the Child Care Licensing Act on any of the following grounds:

- (1) Failure to meet or violation of any of the requirements of the Child Care Licensing Act or the rules and regulations adopted and promulgated under the act; ...
- (4) Conduct or practices detrimental to the health or safety of a person served by or employed at the program; ...”

391 NAC 6-001 Provider: “The child care provider shall report to the Nebraska Department of Health and Human Services within 24 hours or next business day when the following conditions occur within the child care program: the death of any child; any accident to children which requires hospitalization; or treatment at a medical facility.” (Page 3, Standard 14, Family Child Care Home Standards, Rev. 4/12)

391 NAC 6-004.01 in pertinent part: “The child care provider and/or household members shall not engage in or have a history of behavior injurious to or which may endanger the health or morals of children.” (Page 4, Standard 23, Family Child Care Home Standards, Rev. 4/12)

391 NAC 6-004.03 Report of Law Enforcement Record: “The child care provider is responsible for reporting any arrests, misdemeanor tickets other than traffic violations, pending criminal charges, and/or any felony/misdemeanor convictions on themselves, substitutes, secondary providers and/or household members when care is provided in the place of residence.” (Page 5, Standard 26, Family Child Care Home Standards, Rev. 4/12)

391 NAC 6-011.03 Discipline: “The child care provider and/or his/her designated substitute is prohibited from using the following as a means of punishment: (1) Spanking, slapping, punching, shaking, striking with any inanimate object, handling roughly, or biting;” ... (Page 13, Standard 129, Family Child Care Home Standards, Rev. 4/12)

## **FACTS AND FINDINGS:**

Sanderson is the licensee of a Family Child Care Home II, which is currently suspended. This program is licensed for a maximum of 12 children, ages six weeks to 13 years of age, 24 hours a day, seven days a week. This program was licensed on November 19, 2007.

On November 2, 2012, a two-year-old child in Sanderson's care received a facial scratch on the right side of his face near his temporal region. Sanderson informed Deputy Joe Barrientos with the Sioux County Sheriff's Office during an interview with Sanderson, that Sanderson tried to pop the child in the mouth but missed and scratched the child to the right of his right eye with her nail. Sanderson informed Deputy Barrientos that the two-year old child needed glasses and won't wear them and Sanderson kept putting them on over and over. Sanderson informed Deputy Barrientos that the child got angry and started screaming real high pitched so she reacted by trying to pop the child in the mouth but missed and scratched the child to the right of the eye with her nail. Sanderson stated the child started crying and that she felt bad so she picked the child up, held the child and told the child "sorry". Sanderson informed Deputy Barrientos that this occurred around noon. Deputy Barrientos cited Sanderson for Assault in the third degree, Class I misdemeanor. Sanderson did not report the citation for third degree assault to the Department.

The child was taken to the Chadron Community Hospital and seen by the attending physician.

On March 15, 2013, Kathy Hickox (hereinafter referred to as "Hickox"), Child Care Inspection Specialist, Children's Services Licensing, Division of Public Health, Licensure Unit, conducted an interview with Sanderson about the incident on November 2, 2012. Sanderson stated that the two year old was supposed to wear glasses all the time because the child cannot see well without them. The child kept taking the glasses off and Sanderson kept putting them back on. The child took the glasses off again and Sanderson told the child that the child needed to wear them. The child yelled with a high pitch voice. Sanderson stated she meant to pop the child in the mouth and missed the child's mouth and hit the child at the temple by the right eye with her fingernail.

Hickox interviewed the child's mother on January 15, 2013. The child's mother stated that she had texted Sanderson at approximately 3:00 p.m. on November 2, 2013 but Sanderson did not inform the child's mother of the incident.

Based on the above, the Department is revoking Sanderson's Family Child Care Home II license located at 183 Main Street, Harrison, Nebraska, 69346. Sanderson 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:**

Pursuant to Nebraska Revised Statutes, section 71-1922, this action becomes final on July 30, 2013, unless the Department receives a written request for a hearing on or before such date. 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 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 July 30, 2013. 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."

Dated: July 15, 2013

**Joseph M. Acierno, M.D., J.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 15th day of July, 2013, a copy of the foregoing **NOTICE OF REVOCATION** was sent by certified and first class United States mail, sufficient postage prepaid, to Sarah Sanderson, Wiggles & Giggles Daycare, 183 Main Street, Harrison, Nebraska, 69346, and Amy Patras, Attorney, Crites, Shaffer, Connealy, Watson & Patras, PC, LLO, 201 E. 3<sup>rd</sup> Street, P.O. Box 1070, Chadron, Nebraska, 69337.

*[Handwritten signature]*

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

**IN THE MATTER OF** )  
 ) **EMERGENCY AND PROTECTIVE**  
**SARAH SANDERSON d/b/a** ) **ORDER**  
**WIGGLES & GIGGLES DAYCARE** )  
**Family Child Care Home II** )

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 Deputy Chief Medical Officer, having reviewed the Motion and accompanying Affidavits, finds as follows:

1. Sarah Sanderson holds a Family Child Care Home II License, located at 183 Main Street, Harrison, NE 69346.
2. An emergency exists requiring immediate action to protect the physical well-being and safety of a child or children in the care of Sarah Sanderson.

**WHEREFORE, IT IS ORDERED:**

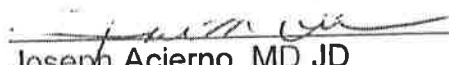
1. Pursuant to Nebraska Revised Statutes §71-1915, the child care license of Sarah Sanderson is hereby and immediately suspended and Sarah Sanderson is hereby and immediately prohibited from providing child care to any children. Such suspension shall be in effect until the conclusion of the Department's investigation and when Ms. Sanderson has been notified of the findings of the investigation by the Department. Upon application to the Director within fifteen days of this Order, Sarah Sanderson shall be afforded a hearing as soon as possible and within ten days of the application, unless it 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 and any pictures of any children referred to in this matter shall not be released to the public.

DATED this 14 day of November, 2012.

**NEBRASKA DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**

  
\_\_\_\_\_  
Joseph Acierno, MD JD  
Deputy Chief Medical Officer  
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 )  
 )  
SARAH SANDERSON d/b/a ) MOTION FOR EMERGENCY ORDER;  
WIGGLES & GIGGLES DAYCARE ) MOTION FOR PROTECTIVE ORDER  
Family Child Care Home II )

**COMES NOW** the Department of Health and Human Services, Division of Public Health and pursuant to Neb. Rev. Stat. §71-1915 moves the Deputy Chief Medical Officer, Division of Public Health to declare an emergency and issue an Emergency Order suspending the child care license of Sarah Sanderson, 183 Main Street, Harrison, NE 69346 and prohibiting her from providing care for any children. Ms. Sanderson has a license as a Family Child Care Home II at 183 Main Street, Harrison, NE 69346. Her operating hours are Monday through Friday, 0:00 to 24: 00. 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 and that any pictures of children referred to in matter be non-releasable to the public. .

In support of its motion the Deputy Chief Medical Officer is shown the accompanying affidavits of Kathy Hickox, Child Care Inspection Specialist, and Patricia Urzedowski, Section Administrator.

**WHEREFORE** the Department moves the Deputy Chief Medical Officer, Division of Public Health for an Emergency Order suspending the child care license of Sarah Sanderson and prohibiting her from providing care for any children until the Department has completed its investigation and notified Ms. Sanderson of its findings

**Nebraska Department of Health  
and Human Services**

Dated: Nov. 14, 2012

Teresa M. Hampton  
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 )  
 )  
 ) **AFFIDAVIT**  
**SARAH SANDERSON D/B/A** )  
**WIGGLES & GIGGLES** )  
**A Family Child Care Home II** )  
  
STATE OF NEBRASKA )  
 ) ss  
COUNTY OF LANCASTER )

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 Sarah Sanderson d/b/a Wiggles & Giggles holds a Family Child Care Home II license at 183 Main Street, Henderson, Nebraska, 69346.
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. Neb. Rev. Stat. §71-1915 provides: "(1) Whenever the department finds that an emergency exists requiring immediate action to protect the physical well-being and safety of a child in a program, the department may, without notice or hearing, issue an order declaring the existence of such an emergency and requiring that such action be taken as the department deems necessary to meet the emergency. The order may include an immediate prohibition on the care of children by the licensee other than children of the licensee...."
5. Neb. Rev. Stat. §71-1919 provides: "The department may deny the issuance of or take disciplinary action against a license issued under the Child Care Licensing Act on any of the following grounds: (1) Failure to meet or violation of any of the requirements of the Child Care Licensing Act or the rules and regulations adopted and promulgated


under the act; (3) Conviction of, or substantial evidence of committing or permitting, aiding, or abetting another to commit, any unlawful act, including, but not limited to, unlawful acts committed by an applicant or licensee under the act, household members who reside at the place where the program is provided, or employees of the applicant or licensee that involve: b) Endangerment or neglect of children or vulnerable adults ...”

6. 391 NAC 4-001.04 provides: “The Department may initiate suspension or revocation proceedings under any of the following circumstances... 2. When a licensee has violated a regulation(s) so as to create a situation which places children at substantial risk;... 4. When a complaint of suspected child abuse or neglect has been filed;...7. When a licensee has violated any state statute regarding the care and protection of children;... 11. When there is a conviction, admission, or substantial evidence of any offenses against children or adults including, but not limited to: ..., neglect, or endangerment by the child care provider;”
7. Based on the information contained in the Affidavit signed by Kathy Hickox, Child Care Inspection Specialist with the Department of Health and Human Services, Division of Public Health, Sarah Sanderson d/b/a Wiggles & Giggles has violated the following Child Care Licensing Regulations:
  - a. 391 NAC 6-001 Provider
    - ... The child care provider shall report to the Nebraska Department of Health and Human Services within 24 hours or the next business day when the following conditions occur within the child care program: the death of any child; any accident to children which requires hospitalization; or treatment at a medical facility.
  - b. 391 NAC 6-004.01 Felony/Misdemeanor Statement:
    - ...The child care provider and/or household members shall not engage in or have a history of behavior injurious to or which may endanger the health or morals of children.
  - c. 391 NAC 6-011.03 Discipline: The child care provider and/or his/her designated

substitute is prohibited from using the following as a means of punishment:

1. Spanking, slapping, punching, shaking, striking with any inanimate object, handling roughly, or biting;...

Further affiant saith not.

  
Patricia Urzedowski, Administrator  
Office of Children's Services Licensing

Subscribed and sworn before me this 14<sup>th</sup> day of November, 2012.

  
Notary Public





Division of Public Health

State of Nebraska  
 Dave Heineman, Governor

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
 DIVISION OF PUBLIC HEALTH

IN THE MATTER OF )

Sarah Sanderson D/B/A )  
 Wiggles & Giggles Day Care )  
 Family Child Care Home II )

)  
 )  
 ) AFFIDAVIT  
 )  
 )

STATE OF NEBRASKA )  
 COUNTY OF SCOTTS BLUFF ) ss  
 )

Comes now Affiant, Kathy Hickox, 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 Sarah Sanderson, (hereinafter "Sanderson"), is the owner of Wiggles & Giggles Day Care, Family Child Care Home II operating license at 183 Main St., Harrison, Nebraska 69346.
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 Monday through Friday, 6:00 a.m. to 6:00 a.m.,
  - a. A child received facial bruising and cuts on the right side of the face extending over the right eye on November 2, 2012 while in the care of Sarah Sanderson.
  - b. Deputy Joe Barrientos with the Sioux County Sheriff's Office conducted an interview with Sanderson on November 2, 2012. Deputy Barrientos stated that during the interview with Sanderson on November 2, 2012, Sanderson admitted to trying to pop the child in the mouth but missed and scratched the child to the right of right eye with her nail. Sanderson admitted to actions that caused the injury to the child.
  - c. Sanderson informed Deputy Barrientos that on November 2, 2012 the child needs glasses and won't wear them. Sanderson told Deputy Barrientos that the child kept taking the glasses off and Sanderson kept putting them on over and over. Sanderson said at one point that the child got angry and started screaming real high pitched so she reacted by trying to pop the child in the mouth but missed and scratched the child to the right of the right eye with her nail. Ms. Sanderson state this happened around noon. Sanderson told Deputy Barrientos that the child started crying and that she felt bad so she picked the child up, held the child and told the child "sorry".
  - d. Deputy Barrientos cited Sanderson for Assault in the third degree, Class I Misdemeanor.
  - e. According to the Sheriff's report the child was released from Sanderson's care to the mother's care at approximately 6:00 p.m. The mother informed Deputy Barrientos

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## Division of Public Health

State of Nebraska  
Dave Heineman, Governor

when she picked up her children she noticed that one child had some bruising around the right eye and right side of the child's head as well as a small mark on the left side. The mother asked Ms. Sanderson what happened and Sanderson stated she had hit the child because the child kept taking the glasses off and it was just reaction and that she was sorry, she did not mean to hit the child so hard.

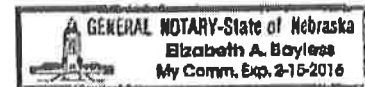
- f. According to the Sheriff's report, the parents took the child to the Chadron Community Hospital. The hospital report states the child was admitted on 11/02/2012 at 00:00 p.m. and seen by attending Physician, Dr. David Johnson.
- g. The Chadron Community Hospital emergency room report stated the child has an injury onto the right side of the face extending over the eye which is about 3x6 cm in dimension. There is a petechial injury to the skin, some abrasion. There is also a little bit of petechial marking on the left side of the face, smaller than a centimeter in diameter.
- h. Chadron Community Hospital report assessment by Dr. David Johnson states there is evidence of skin injury secondary to being struck on both sides of the face as well as a bruise on the buttocks. There appears to be three different blows, possibly the one on the one side of the face could have been an injury where fell into something from being struck on the right side and hit an object on the left side. The area on the buttocks appears to be related to a circular object of some type, maybe a spoon or a toy.
- i. Sanderson did not report the citation for third degree assault to the Department.

My professional opinion is that an Order should be entered prohibiting Sarah Sanderson from providing child care in her Family Child Care Home II until the Department of Health and Human Services concludes the investigation.

  
Kathy Flickox  
Child Care Inspection Specialist

Subscribed and sworn before me this 14th day of November, 2012

  
Notary Public



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