

May 23, 2017

Crystal Horst
14410 South 22nd St
Bellevue, NE 68123

Dear Ms. Horst:

This letter is to inform you that the Licensing Agreement you signed on March 21, 2017 has been terminated effective May 23, 2017.

If you have any questions, please contact me at 402-595-3856.

Sincerely,

Lori Anderjaska, Child Care Inspection Specialist
Office Children's Services Licensing
Nebraska Department of Health and Human Services
1313 Farnam St, 3rd Floor
Omaha, NE 68135

cc: Jo Pfeiffer, Child Care Licensing Supervisor
Marsha Wandersee, Administrative Assistant II

INTERIM LICENSING AGREEMENT

I, Crystal Horst, operating seven days a week, 24 hours a day as a Family Child Care Home I, 14410 S. 22nd St Bellevue Ne 68123, hereby voluntarily state and declare: I have read and understand the Regulations Governing Licensure of Family Child Care Child Home I.

I agree to comply with each of the Child Care Home I Regulations, as long as I am licensed by the State of Nebraska to provide child care services.

I understand and agree to comply with:

On Wednesday March 8, 2017 at approximately 4:30pm a child was ^{allegedly (P. Davis)} observed left in a car seat that was loosely ^{allegedly (P. Davis)} strapped and crying in Crystal Horst's van. Once Crystal was notified of the child left in the van Crystal stated the child had been only been left for approximately 10 minutes and that Crystal's daughter must have forgotten the child.

I understand and agree that under no circumstances will I, Crystal Horst, be alone with child care children until the investigation by _____, and the Office of Children's Services Licensing is complete and findings are determined.

I understand and agree that if I remain open I must immediately provide CSL with the name of the "staff" that will provide care with me, including submission of a Release to conduct the appropriate background checks. A release is not needed if the staff name that I provide to the department has previously been submitted to the department on an application, and this staff has already been cleared.

I understand and agree that if there is no one 19 years of age or older, that is available to provide care with me, and who clears background checks, that I shall voluntarily close my program until such time that the investigation by Law Enforcement, _____, and the Office of Children's Services Licensing is complete and findings are determined, AND that I have written documentation from CSL that I can reopen

I understand and agree that all parents of children currently enrolled have received a copy of this Interim Licensing Agreement within 24 hours and that documentation of each parents receipt will be maintained and available for review upon request.

I will ensure that this Interim Licensing Agreement will be prominently posted with the current Child Care Home I license so it is clearly visible to parents and Department representatives.

I understand that Child Care Licensing staff shall conduct announced or unannounced visits to my facility to determine compliance with this Agreement.

Any violation of this Agreement may be grounds for further negative action or discipline as the Department of Health and Human Services, Division of Public Health, Children's Services Licensing may deem appropriate.

This Agreement is an **Interim Licensing Agreement** which means that the Department reserves the right to take additional action as deemed appropriate. However, any violation of this Interim Licensing Agreement may be grounds for further negative action or discipline as the Department of Health and Human Services, Division of Public Health, may deem appropriate.

This Agreement shall be in effect from the signing of this Agreement for as long as the Department deems it appropriate and upon completion of an ongoing investigation. Should the Child Care Home be amended because of a change of address, this Agreement may transfer to the new address if appropriate to the conditions of this Interim Licensing Agreement.

Licensee

March 21, 17

Date

Child Care Inspection Specialist

3-21-17

Date



Nebraska Department of Health
and Human Services

Division of Public Health

Division of Public Health, Licensure Unit
301 Centennial Mall South, 3rd Floor, P.O. Box 94086
Lincoln, NE 68509-4986
Phone (402) 471-2115 FAX (402) 471-3577

State of Nebraska

Dave Heineman, Governor

March 28, 2008

Crystal Horst
401 Helene Dr
Bellevue NE 68005

Dear Crystal Horst:

In accordance with the ORDER, issued by the Director, Dr. Joann Schaefer, on March 25, 2008, your original License to operate a Family Child Care Home I in the State of Nebraska has been placed on probation. A license imprinted with the term "PROBATION" is enclosed, this status became effective March 25, 2008; and it will remain in effect until September 25, 2008. Upon completion of the probation a new license will be issued to you.

At this time we ask that you return your current license, within the next ten (10) days, to Marsha Wandersee in the Licensure Unit. If you have any questions please contact Child Care Licensing, at (402) 471-9302.

Sincerely,


Helen L. Meeks, Administrator
Licensure Unit

HLM/clb

cc: Child Care Licensing

Your application for Nebraska Family Child Care Home I has been approved and your licensure document is attached. You will receive a new licensure document each time you amend your license.

This license shall be kept available in the establishment and such proof of credentialing shall be shown upon request.

State of Nebraska

Department of Health and Human Services

Regulation and Licensure

PROBATION

CRYSTAL HORST

Is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an
Operating Family Child Care Home I
located at: 401 HELENE DR BELLEVUE NE 68005

A maximum of 10 children in ages 6 WKS to 13 YRS may be in attendance at any one time during the hours of 0000 to 2400 on MTWTFSS.

HORST, CRYSTAL is hereby issued License No. FI4967 which is effective on 10/05/2002

Amended: 03/25/2008

Given under the name and Seal of the Department of Health and Human Services, Division of Public Health of the State of Nebraska at Lincoln on March 28, 2008.



[Signature]
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
THE REQUEST FOR HEARING BY

CRYSTAL HORST
Family Child Care Home I

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94-080232


ORDER

UPON the presentation of the Agreed Settlement of the Department of Health and Human Services Division of Public Health and Crystal Horst, the Director finds that she has jurisdiction of this matter and that a factual basis exists to support the acceptance of the Agreed Settlement.

WHEREFORE, it is hereby Ordered that the Agreed Settlement attached hereto and incorporated herein by reference is accepted and adopted, and the parties are ordered to comply therewith.

DATED this 25 day of March, 2008.

Nebraska Department of
Health and Human Services
Division of Public Health

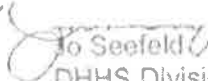


Joann Schaefer, M.D., Director

CERTIFICATE OF SERVICE

COMES NOW the undersigned and certifies that on the 26th day of March, 2008, a copy of the foregoing **ORDER** was sent by certified mail, postage prepaid, return receipt requested, to **Karen Nelson, Schirber & Wagner, LLP, 1243 Golden Gate Drive, Papillion, Nebraska 68508**, and hand-delivered to Agency Counsel, **Brad Glanakos**, Department of Health and Human Services Division of Public Health, Lincoln, Nebraska.

BY


Jo Seefeld
DHHS Division of Public Health
P.O. Box 95026
Lincoln, NE 68509-5026
(402) 471-0384

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

IN THE MATTER OF
THE REQUEST FOR HEARING BY

CRYSTAL HORST
Family Child Care Home I

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94-080232

AGREED SETTLEMENT

COMES NOW the Department of Health and Human Services, Division of Public Health (hereinafter "Department") and Crystal Horst (hereinafter "Licensee"), and in consideration of the mutual covenants and agreements contained herein, agree as follows:

1. Licensee holds a Family Child Care Home I license issued by the Department, the executive agency of the state of Nebraska charged with administration of child care licensure statutes and regulations.

4. By letter of January 24, 2008, the Department notified Licensee that it intended to revoke her Family Child Care Home I license for the reasons set out in that letter. A copy of that letter is on file herein and incorporated into this Agreement by this reference.
5. Licensee is entitled to a hearing before disciplinary measures may be taken against her license. By letter of February 5, 2008, Licensee, through her attorney, filed a timely written request for a hearing. A copy of that letter is 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.
6. Licensee agrees to the following, and expressly agrees that violation of any of the terms of this Agreed Settlement is grounds for revocation of said license, or such other discipline as the Department may determine appropriate:
 - a. Licensee's Family Child Care Home I License shall be placed on probation for a period of six (6) months, beginning on the date of an Order approving this Agreed Settlement.
 - b. As a condition of probation, Licensee shall complete the Boys Town "Parents of Toddlers and Preschoolers" training, and provide proof of completion to the Department within the first two (2) months of probation.
 - c. Licensee understands and agrees to fully comply with the provisions of Nebraska Revised Statutes §71-1908 *et al.*, and Title 391 Nebraska Administrative Code.
 1. No coercion, threats, or promises other than those stated herein were made to induce Licensee to enter into this Agreed Settlement.
 2. 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 for any purpose at any hearing that may be held on this matter.

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

AGREED TO:

Crystal Horst, Licensee

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~~Karen Nelson, #20523~~
SCHIRBER & WAGNER, LLP
1243 Golden Gate Drive
Papillion, NE 68046
(402) 592-2800
Attorney for Licensee

**Nebraska Department of Health
and Human Services**

~~Brad Gianakos #19700~~
P.O. Box 95026
Lincoln, Nebraska 68509-5026
(402) 471-4068
Attorney for the Department

391 NAC 6-007.01 Overall: "The child care provider shall ensure that all rooms used for child care are clean and dry." (Page 8, Standard 45, Family Child Care Home Standards)

"The child care provider shall ensure that all floors, walls, ceilings, and furniture are clean and in good repair." (Page 8, Standard 46, Family Child Care Home Standards)

391 NAC 6-009.02G Storage: "The child care provider shall ensure that all prescription and over the counter medications will be kept in locked storage." ... (Page 12, Standard 105, Family Child Care Home Standards)

FACTS:

Ms. Ewing also observed the following violations of regulations while at Horst's facility:

- Carpeted stairs and carpet through the facility had black spots and discoloration to the carpet.
- Kitchen had baseboards missing, dark smears on the walls, debris along the sides and sticking out from under the refrigerator. There also appeared to be liquids/food spots that had dried on the kitchen floor. There was debris and trash particles scattered throughout the kitchen, living room and hallway. The stove had thick grime build up on the side of the stove.
- There was approximately a two foot by four foot pile of clothing in the middle of the floor in one of the bedrooms that was used for child care. In addition, there were shoes and other items scattered throughout this bedroom.
- Prescribed medication was sitting out on the kitchen counter and accessible to children.

Based on the above facts, the department is revoking Horst's Family Child Care Home I license.

BE ADVISED:

That according to Nebraska Revised Statutes, section 71-1922, the action in this Notice shall become final on February 8, 2008, 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 February 9, 2008, which is fifteen days after the mailing of this Notice. It should be addressed to:

Marsha Wandersee, for HHS F&S
Legal Services - Child Care Licensing
P.O. Box 95007
Lincoln, NE 68509-5007

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: JANUARY 24, 2008

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

~~Patricia Urzedowski~~
By: Patricia Urzedowski, Administrator
Office of Children's Services Licensing - Licensure
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 24th day of January, 2008, a copy of the foregoing **NOTICE OF REVOCATION** was sent by certified and first class United States mail, sufficient postage prepaid, to Crystal Horst, 401 Helene Drive, Bellevue, Nebraska, 68005.

