



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

**IN THE MATTER OF:** ) **NOTICE**  
**THE OPERATING FAMILY CHILD CARE HOME I** ) **DISCIPLINARY**  
**LICENSE OF CANDACE MCPHERON** ) **ACTION**

**LICENSED LOCATION:** 1500 MONROE ST., BEATRICE, NE 68310  
**LICENSE NUMBER:** FI6163  
**CAPACITY:** 10  
**AGES:** 6 WEEKS TO 13 YEARS  
**HOURS AND DAYS:** 5:30 AM TO 7:00 PM, MONDAY THROUGH FRIDAY  
**DATE INITIALLY LICENSED:** JANUARY 23, 1997

**NOTICE:**

Candace McPheron, (hereinafter referred to as "McPheron") is notified that the Department of Health and Human Services, Division of Public Health, (hereinafter referred to as "Department") is imposing disciplinary action against McPheron's Operating Family Child Care Home I License for violation of the following statutes and regulations:

**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;"

Nebraska Revised Statutes, section 71-1920, of the Child Care Licensing Act provides that "... the Department may impose any one or a combination of the following types of disciplinary action against a license issued under the Child Care Licensing Act: (a) Issue a probationary license." ...

391 NAC 1-004.04A: "Before the change goes into effect, the licensee must submit an Amendment to Application and receive approval from the Department for a change to any of the following: ...

5. Staff, volunteers, or household members. The following additional information must be submitted with the Amendment to Application:

- a. If a new staff, volunteer, or household member is 13 or older, a completed and signed Consent for Nebraska Central Registry Checks and Authorization for Release of Information; and
- b. If a new staff, volunteer, or household member is 19 or older, a Report of Law Enforcement Contact and documentation of a criminal history record check."

391 NAC 1-006.01 Licensee Qualifications and Requirements: "The Family Child Care Home I licensee must: ...

4. Be responsible for the day-to-day operation of the childcare program; ...
7. Be in compliance with all regulations whenever any children are in care; ..."

391 NAC 1-006.02B Registry Checks: "The applicant/licensee, staff, volunteers, and household members must not be listed as a perpetrator of abuse or neglect on Nebraska's:

1. Child abuse/neglect central register, if the individual is age 13 or older;
2. Adult protective services (APS) central registry, if the individual is age 18 or older;
- or
3. State Patrol sex offender registry."

The individual must provide enough information for an accurate check of the registries and must authorize the release of registry information. The Department will conduct the child and adult registry checks and provide the results to the applicant/licensee.

The applicant/licensee must conduct the State Patrol sex offender registry check. All registry checks must be completed before the individual assumes responsibility for the care and supervision of children.

Any individual who is listed as a perpetrator on any of the registries must not be on the child care premises during the hours of operation, except that a parent listed as a perpetrator may be allowed on the premises only to pick up and drop off his/her child."

391 NAC 1-006.03A Staff: “Staff, including substitutes, must:

1. Be at least 16 years of age;
2. Be of good moral character; and
3. Not engage in or have a history of behavior injurious to or which may endanger the health or morals of children.”

391 NAC 1-006.03B Volunteers: “All volunteers must:

1. Be of good moral character;
2. Not engage in or have a history of behavior injurious to or which may endanger the health or morals of children; and
3. Never be left alone with children other than their own.”

391 NAC 1-006.05A Staff: “Records for all staff, except substitutes and volunteers, must include:

1. Name;
2. Address and telephone number;
3. Social Security number;
4. Date of hire/termination;
5. A completed Report of Law Enforcement Contact;
6. Documentation of a criminal history record check;
7. A completed Health Information Report;
8. Documentation of Nebraska registry checks with no adverse findings;
9. Documentation of training; and
10. Documentation that the individual has read and understands these regulations.

391 NAC 1-006.08A Licensed Capacity: The number of children in care at any one time must not exceed the licensed capacity. Licensed capacity will be determined by the Department based on available space and the capacity authorized by the State Fire Marshal or delegated authority. Whichever number is smaller will be the licensed capacity of the childcare home.

The maximum licensed capacity for a Family Child Care Home I is eight children, except that a licensee may be approved to serve up to two additional school-age children during non-school hours, if no more than two of the other children in care are under 18 months of age.

In determining whether the licensed capacity has been exceeded, any adults receiving care and supervision and all children at the program are counted, except:

1. Children who leave the child care home for an activity and will not be returning that day;
2. Children enrolled in the program and in attendance at school; and
3. Own children age eight or older unless the licensee is receiving compensation directly or indirectly for his/her own children age eight or older.

**391 NAC 1-006.08B Staff-to-Child Ratio:** The appropriate staff-to-child ratio must be met at all times, as follows.

1. **Infants only.** If the program provides care to infants only, the following ratios apply:

Number of Infants in Care	Number of Staff Required
4	1
5-8	2

2. **Mixed ages.** If the program provides care to children of mixed ages, the following ratios apply:

Number of Children in Care	Number of Staff Required
1-8	1
9-10 (9 <sup>th</sup> and 10 <sup>th</sup> children must be school-age)	1

a. Programs serving children of mixed ages of may provide care for up to three infants if no more than two of the infants are under 12 months of age.

b. Programs may provide care for up to two additional school-age children during non-school hours if no more than two of the other children in care are under 18 months of age.

3. **School-age only.** If the program provides care to school-age children only, the following ratio applies:

Number of Children in Care	Number of Staff Required
1-10	1

**391 NAC 1-006.11 Immunizations:** Within 30 days of a child’s enrollment, the licensee must obtain a copy of each enrolled child’s immunization record. Immunization records must be available for review upon request by the Department and updated each time the child receives additional immunizations. Each child’s immunization record must include:

1. Documentation of age-appropriate immunization;
2. Certification by a physician, advanced practice registered nurse, or physician assistant that immunization is not appropriate for a stated medical reason; or
3. A written statement that the parent or guardian does not wish to have the child immunized and the reasons for that decision

**391 NAC 1-008.01 Grounds for Denial or Disciplinary Action:** “The Department may deny the issuance of or take disciplinary action against a license 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;” ...



## FACTS AND FINDINGS:

On November 14, 2017, Angie Lewis, Child Care Inspection Specialist Nebraska Department of Health and Human Services, Division of Public Health (hereinafter referred to as "Lewis"), conducted an unannounced annual inspection of McPheron. McPheron was in violation of several regulations, some of which have since been corrected.

On November 28, 2017, Kathee Sanchez, Child Care Licensing Supervisor, Nebraska Department of Health and Human Services, Division of Public Health (herein after referred to as "Sanchez"), sent a letter to McPheron offering a Corrective Action Status. McPheron's Corrective Action Status was accepted on January 9, 2018. McPheron's Corrective Action Status was initially scheduled to be effective from January 4, 2018, to July 4, 2018.

On May 16, 2018, Lewis conducted an unannounced monitoring inspection of McPheron's program per terms of Corrective Action Status. On arrival, McPheron's daughter, Timary Vetrovsky (hereinafter referred to as "Vetrovsky"), identified herself as the caregiver. Vetrovsky said McPheron, the primary provider, was out of town for an appointment. Lewis conducted a walk through and observed 11 children in care:

- 1 - 7 month-old infant;
- 2 - 14 month-old infants;
- 1 - 18 month-old child;
- 1 - 2 year-old child;
- 1 - 4 year-old child;
- 1 - 5 year-old child;
- 2 - 6 year-old children; and
- 2 - 9 year-old children.

Vetrovsky was asked how many children were in care at the beginning of the inspection and she did not respond. Lewis observed two children in the living room at the front of the house; one was sleeping on the couch and one was on the floor. There was an infant in a playpen in a bedroom with the door closed at the front of the house. The other children were located in the back of the house in the playroom; outdoor play area; and room with the playpen.

The number of children in care at any one time **must not exceed the licensed capacity**. McPheron was in violation of licensed capacity with 11 children in care. McPheron was in violation of staff-to-child ratio with eleven 11 children in care which included 3 infants.

A teenager who identified herself as BH was caring for an infant as observed by Lewis. BH said she was 17 years old and her date of birth was February 27, 2001. BH was feeding an infant in care. Lewis asked BH if she had completed any paperwork with McPheron to become an approved caregiver at the Family Child Care Home I. BH said she had not completed any paperwork.

It was determined that BH is not an approved caregiver or volunteer for the Family Child Care Home I. McPheron will submit the necessary paperwork to Central Office to add BH as a caregiver or volunteer immediately.

Lewis reviewed Child Records for all the children in care. Initially Vetrovsky could not find a Child Record for one child in care. Ms. Vetrovsky was able to retrieve this Child Record after calling McPheron on the cell phone. Two children did not have Immunization Records available for review.

It has been determined that McPheron has violated the terms of Corrective Action Status, effective January 4, 2018, to June 4, 2018.

#### **PREVIOUS HISTORY:**

McPheron has a history of violating regulations including:

- NAC 391 1-006.08B Staff-to-Child Ratio: - January 20, 1999;
- NAC 391 1-006-12 Adequate and Appropriate Supervision: - January 20, 1999;
- NAC 391 1-00.04D – Nebraska Early Learning Guidelines Training: - January 12, 2004 and February 17, 2009;
- NAC 391 1-006.06 Child's Record - January 12, 2004 and February 17, 2009;
- NAC 391 1-006.11 Appropriate Sleep Surfaces – March 14, 2007 and February 17, 2009; and
- NAC 391 1-006.15B Beds, Cribs, and Surfaces Loose Bedding in Playpens – November 21, 2016;

#### **DISCIPLINARY ACTION IMPOSED:**

Based upon the facts presented above, the Department intends to impose the following:

1. McPheron's Operating Child Care Center license is placed on probation for a period of one year from the effective date of September 14, 2018, to September 14, 2019. The following terms and conditions will apply:

- A. Children in care must be adequately and Appropriately Supervised by approved caregivers at all times.
- B. Staff-to-Child ratio must be maintained at all times.
- C. All staff caring for children must have necessary paperwork submitted and cleared through Central Office before caring for children.
- D. When new children enroll, McPheron must provide Lewis with all the required information before children attend.
- E. McPheron's program is limited to a maximum of 10 enrolled children.
- F. By September 28, 2018, McPheron must send a list of enrolled children. List must include date of birth, attendance schedule, and enrollment date with parent signature to Lewis.

G. By September 28, 2018, McPheron must have complete files for all Staff, Volunteers, and children in care.

H. By November 12, 2018, all staff are required to take Pre-Service Orientation again due to violations of staff to child ratio and licensed capacity.

All documentation required must be submitted to Department, Attn: Angie Lewis, 1700 Stone St., Richardson County Courthouse, Falls City, NE 68355, (402) 245-4439, Angie.Lewis@nebraska.gov or at such other address as directed in writing, by the Department.

2. Compliance will be monitored by the Office of Children's Services Licensing staff and may be monitored by other Department representatives (i.e., Fire Marshal or designated agent, Environmental Health Specialist/Scientist or designated agent, Resource Development Worker, Children and Family Services Specialist/Worker, etc.). The Licensee and any employees and/or agents must cooperate with the Department in these monitoring inspections.

3. A copy of this Notice of Disciplinary Action must be posted with the current childcare license so it is clearly visible to parents and agency representatives.

4. Failure to comply with the terms of this disciplinary action, the applicable Family Child Care Home I Regulations, and failure to correct the violations will be grounds for revocation or such other discipline as the Department may deem appropriate after notice to the licensee and an opportunity for a hearing.

5. If McPheron discontinues the child care program for any reason, the time the McPheron is not actively operating a licensed child care program will not count toward the probation period and any subsequent child care license issued by the Department indicating McPheron as licensee/director/owner shall be subject to the terms of this probation including completion of the probation period. McPheron must notify the Department, in writing, within 7 working days of any period that it is not actively operating the program. Active operation is the provision of childcare for a minimum of 40 hours a week for 50 weeks of a calendar year.

**BE ADVISED:**

Pursuant to Nebraska Revised Statutes, section 71-1922, this action becomes final on September 13, 2018, 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 on or before such date, 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 on or by September 13, 2018. It should be addressed to:

Chris Kort, for DHHS  
Children's Services Licensing – Licensure Unit  
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.**”

Nebraska Revised Statutes, section 71-1920 of the Child Care Licensing Act, provides that “any fine imposed and unpaid under the Child Care Licensing Act shall constitute a debt to the State of Nebraska which may be collected in the manner of a lien foreclosure or sued for and recovered in any proper form of action in the name of State of Nebraska in the district court of the county in which the program is located.” 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.”

That 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: August 30, 2018

**Courtney N. Phillips, PhD**  
**Chief Executive Officer**  
**Department of Health and Human Services**

Becky Wisel, Administrator  
Licensure Unit  
301 Centennial Mall South  
Lincoln, NE 68509-4986



CERTIFICATE OF SERVICE

**COMES NOW**, the undersigned and certifies that on the 36<sup>th</sup> day of August 2018, a copy of the foregoing **NOTICE OF DISCIPLINARY ACTION** was sent by certified and first class United States mail, sufficient postage prepaid to CANDACE MCPHERON, 1500 MONROE ST., BEATRICE, NE 68310.



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Chris Kort  
Administrative Assistant

# NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

January 9, 2018

Candace McPheron  
1500 Monroe Street  
Beatrice, NE 68310

Dear Ms. McPheron:

In accordance with the letter written by Kathee Sanchez, Child Care Licensing Supervisor, on January 9, 2018, your original License to operate a Family Child Care Home I in the State of Nebraska has been placed on Corrective Action Status. A license imprinted with the term "Corrective Action Status" is enclosed. This status became effective January 4, 2018, and it will remain in effect until July 4, 2018. Upon completion of this term, a new license will be issued to you.

At this time we ask that you submit your current license by return mail, within the next seven (7) days, to DHHS, Division of Public Health, Licensure Unit, Attn: Chris Kort, 301 Centennial Mall South, Lincoln, NE 68509-4986.

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

Sincerely,



Becky Wisell, Administrator  
Licensure Unit  
301 Centennial Mall South  
Lincoln, NE 68509-4986

BW/dcp

cc: Children's Services Licensing

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  
Division of Public Health

## CANDACE MCPHERON

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: 1500 MONROE ST BEATRICE NE 68310

A maximum of 10 children in ages 6 WKS to 13 YRS may be in attendance at any one time during the hours of 0530 to 1900 on MTWTF.

MCPHERON, CANDACE is hereby issued License No. FI6163

whose status is Active-Corrective Action Status effective from 01/04/2018

Amended: 01/04/2018

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 January 10, 2018.



Thomas L. Williams, MD Chief Medical Officer  
Director, Division of Public Health  
Department of Health and Human Services

# NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

November 28, 2017

## Certified and First Class Mail

Candace McPheron  
1500 Monroe Street  
Beatrice NE 68310

Dear Ms. McPheron;

Nebraska Revised Statutes, section 71- 1911 (4), of the Child Care Licensing Act provides that the department may place a license on Corrective Action Status. ....A non-disciplinary probationary license may be issued for the licensee to operate under Corrective Action Status if the department determines that:

- a) The Licensee is unable to comply with all licensure requirements and standards or has had a history of noncompliance;
- b) The effect of noncompliance with any rule or regulation does not present an unreasonable risk to the health, safety or well-being of children or staff; and
- c) The Licensee has a written plan of correction that has been approved by the department.

On November 14, 2017, Angie Lewis, Child Care Inspection Specialist (CCIS), conducted an unannounced annual inspection. CCIS Lewis noted a number of non-compliances at time of inspection. Non-compliances were as follows: licensee qualifications; staff-to-child ratio; supervision of children; annual training; provider records; immunization records; approved sleep surfaces for infants; fitted sheets on playpen mattresses; housekeeping and maintenance; and environmental services.

Upon review of your file it was noted that there are a number of the violations are repeat violations.

Repeat violations are:

- Staff-to-Child Ratio – 01/20/99
- Inadequate and inappropriate supervision to children – 01/20/99
- Not providing documentation of required in-service training hours (01/20/99)
- Immunization record unavailable on children in care 02/17/09, 01/12/04
- Not using appropriate sleeping surfaces for infants 02/17/09, 03/14/07
- Loose bedding in playpens 11/21/16
- Fitted sheets for playpens 12/03/14
- Not following Safe Sleep practices when caring for infants

•  
**NAC 391 1-006.01 Licensee Qualifications and Requirements:** The Family Child Care Home I licensee must:

7. Be in compliance with all regulations whenever any children are in care;



**NAC 391 1-006.04E Annual Training:** The licensee and each staff member, not including substitutes or volunteers, must obtain 12 clock hours of training annually. Staff who work 20 hours or less each week must complete six hours of training annually.

**NAC 391 1-006.08B Staff-to-Child Ratio:**

The appropriate staff-to-child ratio must be met at all times, as follows:  
(see page 25 Regulations Governing Licensure of Family Child Care Home I)

**NAC 391 1-006.12 Supervision of Children:** Adequate and appropriate supervision must be provided to children at all times children are in attendance, including during outdoor play. Ultimate responsibility for supervision rests with the licensee.

Adequate and appropriate supervision means:

1. Knowing the whereabouts and being within sight or sound of all children at all times;
2. Being alert, attentive, and responsive to the needs of all children; and
3. Protecting or removing children from harm.

**NAC 391 1-006.11 Immunizations:** Within 30 days of a child's enrollment, the licensee must obtain a copy of each enrolled child's immunization record. Immunization records must be available for review upon request by the Department and updated each time the child receives additional immunizations. Each child's immunization record must include:

1. Documentation of age-appropriate immunization;

**NAC 391 1-006.15B Beds, Cribs, and Sleeping Surfaces:** Appropriate sleeping surfaces must be available for each child in care.

2. The only acceptable sleeping surfaces for children age 12 months and under are cribs and playpens. When used, cribs and playpens must meet the following standards:
  - c. Cribs and playpens must contain no soft objects, bumper pads, toys, or loose bedding. If a blanket is used, it must be secured or tucked under the crib mattress or the pad of the playpen and reach no higher than the infant's chest; and
3. The following must not be used as sleeping surfaces:
  - d. Cots, cushions, futons, mats, or pillows for infants 12 months and under.

**NAC 391 1-006.16 Infant/Toddler Care:** If care is provided to infants and/or toddlers, the licensee and staff must: ...

6. Place infants on their backs to sleep unless there is a medical reason for a child to sleep in a different position. A written note from the infant's physician, nurse practitioner, or physician assistant indicating that the infant must sleep in a different position must be obtained, kept on file, and available for review by the Department.

Based on the facts presented above and the regulations violated, the department is placing your operating license on Corrective Action Status for a period of six (6) months.

Corrective Action Status is voluntary and the decision regarding placement on Corrective Action Status is not appealable. However, you are required to submit a written Plan of Correction that must be approved by the department. The following items must be included in your written Plan of Correction:

1. Identification of issue(s) of concern;
2. Provisions for how you will correct and maintain compliance;
3. Specify the written documentation to be provided to the Department;
4. Identify who is responsible (include position titles) for corrections and maintenance of compliance; and
5. Timelines.

Please submit your written Plan of Correction to Angie Lewis, Child Care Inspection Specialist, Nebraska Department of Health and Human Services, Office of Children's Services Licensing, Richardson County Court House, 1700 Stone St, Falls City NE 68355 **within ten calendar days** after you receive this letter.

If you do not submit a written Plan of Correction, or the written Plan of Correction is not approved, the department may discipline your license by imposing one or a combination of the following types of Disciplinary Action:

1. Issue a probationary (disciplinary) license;
2. Suspend or revoke a provisional, probationary, or operating license;
3. Impose a civil penalty of up to five dollars per child, based upon the number of children for which the program is authorized to provide child care on the effective date of the finding of violation, for each day the program is in violation;
4. Establish restrictions on new enrollment in the program;
5. Establish restrictions or other limitations on the number of children or the age of the children served in the program; or
6. Establish other restrictions or limitations on the type of service provided by the program.

If you have questions regarding this letter, please contact Angie Lewis, Child Care Inspection Specialist at 402-234-4439 or Kathee Sanchez, Child Care Licensing Supervisor at 402-471-9193.

Sincerely



Kathee Sanchez  
Child Care Licensing Supervisor  
Children's Services Licensing  
Licensure Unit  
P.O. Box 94986  
Nebraska State Office Building, First Floor  
301 Centennial Mall South  
Lincoln, NE 68509-4986

Cc: Angie Lewis, Child Care Inspection Specialist  
Rita Krusemark, Program Specialist

1. Identification of issue(s) of concern;
2. Provisions for how you will correct and maintain compliance;
3. Specify the written documentation to be provided to the Department;
4. Identify who is responsible (include position titles) for corrections and maintenance of compliance; and
5. Timelines.

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1. Issue a probationary (disciplinary) license;
2. Suspend or revoke a provisional, probationary, or operating license;
3. Impose a civil penalty of up to five dollars per child, based upon the number of children for which the program is authorized to provide child care on the effective date of the finding of violation, for each day the program is in violation;
4. Establish restrictions on new enrollment in the program;
5. Establish restrictions or other limitations on the number of children or the age of the children served in the program; or
6. Establish other restrictions or limitations on the type of service provided by the program.

If you have questions regarding this letter, please contact Angie Lewis, Child Care Inspection Specialist at 402-234-4439 or Kathee Sanchez, Child Care Licensing Supervisor at 402-471-9193.

Sincerely,



Kathee Sanchez  
 Child Care Licensing Supervisor  
 Children's Services Licensing  
 Licensure Unit  
 P.O. Box 94986  
 Nebraska State Office Building, First Floor  
 301 Centennial Mall South  
 Lincoln, NE 68509-4986

Cc: Angie Lewis, Child Care Inspection Specialist  
 Rita Krusemark, Program Specialist

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For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> ®			
<b>OFFICIAL USE</b>			
Postage	\$	Postmark Here	
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$		
Sent To		Candace McPheron	
Street, Apt. No., or PO Box No.		1500 Monroe Street	
City, State, ZIP+4		Beatrice NE 68310	
PS Form 3800, August 2006		See Reverse for Instructions	

7013 2250 0000 5076 4341

# NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

January 9, 2018

Candace McPheron  
1500 Monroe Street  
Beatrice NE 68310

Dear Ms. McPheron,

The Nebraska Department of Health and Human Services, Office of Children's Services Licensing received your corrective action plan accepting Corrective Action Status. The attached corrective action plan has been reviewed and approved effective January 4, 2018. . Please note I have added to the plan that in order to stay in compliance with staff to child ratio 'Licensee may only care for up to three infants at one time and only if no more than two of the infants are under 12 months of age.'

A new license, identified with 'Corrective Action Status' will be mailed to your facility. The new license is to be posted in a prominent location. The license status will be in effect for a period from the date of approval, January 4, 2018 to July 4, 2018.

Compliance with the terms of the Corrective Action Status will be monitored by announced and unannounced inspections to your facility by Child Care Licensing staff. Any violation may be grounds for discipline as the Office of Children's Services Licensing program may determine appropriate.

If you have questions regarding this letter, please contact Angie Lewis, Child Care Inspection Specialist, 402-245-4439 or me.

Sincerely,

[Redacted Signature]  
Kathee Sanchez  
Child Care Licensing Supervisor  
301 Centennial Mall South  
PO Box 94986  
Lincoln, NE 68509-4968  
Phone (402) 471-9193 FAX (402) 471-6407  
kathee.sanchez@nebraska.gov

cc:  
Angie Lewis – Child Care Inspection Specialist  
Rita Krusemark Program Specialist  
File



## Plan of Correction for Candace McPheron by Candace McPheron

This Plan of Correction is being written in response to my operating license being placed on Corrective Action Status. I, Candace McPheron the licensee, am the only person responsible for making sure that the corrections and maintenance of compliances are followed.

### **NAC 391 1-006.04E Annual Training:**

I will continue to obtain 12 clock hours of training annually. I will, however, in the future make sure that all of my hours are approved by The Department of Education. As a licensed daycare provider and a licensed foster home I have in the past routinely used my in service hours for both agencies. I am aware this is no longer acceptable. At this time, I have spoke with Christopher Rowe at the Department of Education, about the hours that I have and am waiting for him to let me know if they will be approved. In the event that some of the hours are not approved I will be certain to obtain the required amount of in service hours needed for 2016 by January 5, 2018. I will do and record only in services approved by the Department of Education. I will also have completed the hours needed for 2017 by January 15, 2018.

### **NAC 391 1-006.08B Staff-to-child Ratio:\***

I will follow all guidelines of staff to child ratio. I will be certain to have the correct amount of infants as allowed by the department of health and human services. I will not allow myself to fall weak and help out families when in need.

\* Licensee may only care for up to three infants at one time and only if no more than two of the infants are under 12 months of age.

### **NAC 391 1-006.12 Supervision of Children:**

1. I will continue to always know the whereabouts of all children in my care and be within sight or sound of all children at all times. My daycare area is set up in a way that it is impossible to not know the whereabouts or be out of sound reach at all times.
  2. I will continue to be alert, attentive, and responsive to the needs of children at all times while in my care. This is now, has always been, and will always be my #1 priority.
  3. I will continue to protect or remove all children from harm at all time while in my care. This is now, has always been, and will always be my #1 priority.
- By following all DHHS staff to child ratio this will always be in compliance.

### **NAC 391 1-006.11 Immunizations:**

I will continue to have on hand immunizations for all children enrolled in my care. It is my responsibility to maintain all records so that they are easily accessible upon review of the department.

1. I will be sure to periodically review all files to ensure they are up to date.

### **NAC 391 1-006.15B Bed, Crib, and Sleeping Surfaces:**

I will continue to use appropriate sleeping surfaces for each child in care.

2. I will be certain to place the playpen sheet upon the playpen mattress immediately upon washing and not place the sheet in the playpen until laying a child down. This will ensure that there will be no loose bedding in the playpen either when a child is in the playpen or not. At the time of the visit there were no children in the playpens.

3. I will continue to only use approved sleeping surfaces for infants. I will be certain to have proper doctor documentation for sleeping infants with special needs. I will ensure that I have signed doctors instructions as to how to care for each child with special needs.

At this time I have asked for and received a new doctors note. I will have available for review,

### **NAC 391 1-006.16 Infant/Toddler Care:**

I will continue to place all infants on their backs to sleep. In the case that I have a child with special needs I will be certain to have a signed doctors note. At this time I have asked for and received a new doctors note for sleeping instructions. I will have available for review.