

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

July 31, 2017

TAYLOR TOT'S DAYCARE

Stacy Taylor, Licensee
4908 35th Street
Columbus, NE 68601

Dear Ms. Taylor:

In accordance with the Order on Agreed Settlement that was issued on July 19, 2017, by Thomas L. Williams, MD, Chief Medical Officer, Division of Public Health, Department of Health and Human Services, your original License to operate a Family Child Care Home II in the State of Nebraska has been placed on Probation. A license imprinted with the term "PROBATION" is enclosed. This status became effective July 29, 2017, and it will remain in effect until July 29, 2018. Upon completion of the Probation, 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: Rita Krusemark, 301 Centennial Mall South, Lincoln, NE 68509-4986.

If you have any questions, please contact Kathee Sanchez, Child Care Licensing Supervisor, at (402) 471-9193.

Sincerely,

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

Enclosure

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

PROBATION Department of Health and Human Services
Division of Public Health

STACY TAYLOR

Is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an
Operating **Family Child Care Home II**
located at: **4908 35TH ST Columbus NE 68601**

A maximum of **12** children in ages **6 WKS** to **13 YRS** may be in attendance at any one time during the hours of **0000** to **2400** on **MTWTF**.

TAYLOR TOT'S DAYCARE OWNED BY STACY TAYLOR is hereby issued License No. **FII8859**
which is
effective on **04/15/2006**

Amended: 07/29/2017

Given under the name and Seal of the Department of Health and Human Services Regulation and Licensure of the State of Nebraska at Lincoln on **July 31, 2017**.



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

LICENSURE UNIT
JUL 20 2017
RECEIVED

STATE OF NEBRASKA
DEPARTMENT OF HEALTH AND HUMAN SERVICES

FILED
JUL 20 2017
DHHS Hearing Office

IN THE MATTER OF)
THE REQUEST FOR HEARING BY) 170856 FCCH II
)
STACY TAYLOR DBA TAYLOR)
TOT'S DAYCARE) ORDER ON
AGREED SETTLEMENT

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

1. Approves the Agreed Settlement;
2. Finds the representations made in the Agreed Settlement true and adopts them herein; and
3. Orders the parties to comply with all of the terms of the Agreed Settlement.

DATED this 19 day of July, 2017

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

CERTIFICATE OF SERVICE

The undersigned certifies that on July 20, 2017, a copy of the foregoing was sent by United States Mail, postage prepaid, to: STACY TAYLOR, TAYLOR TOT'S DAYCARE 4908 35TH ST, COLUMBUS, NE 68601 and by e-mail to staylor72@hotmail.com and darrell.klein@nebraska.gov.

DHHS Hearing Office
P. O. Box 95026
Lincoln, NE 68509-5026
P. (402) 471-4731 F. (402) 742-2374
dhhs.hearingoffice@nebraska.gov

LICENSURE UNIT

JUL 20 2017

RECEIVED

STATE OF NEBRASKA
DEPARTMENT OF HEALTH AND HUMAN SERVICES

IN THE MATTER OF)
THE REQUEST FOR HEARING BY) 170856 FCCH II
STACY TAYLOR DBA TAYLOR)
TOT'S DAYCARE) AGREED SETTLEMENT

The Department of Health and Human Services Division of Public Health (hereafter "Department") and Stacy Taylor, D/B/A Taylor Tot's Daycare (hereafter "Taylor"), in consideration of the mutual covenants and agreements contained herein, agree as follows:

1. Taylor is licensed as a Family Child Care Home II holding license number FII8859. The Department is the executive agency of the state of Nebraska charged with administration of the Child Care Licensing Act and the rules and regulations adopted pursuant to it.
2. The Department issued a Notice of Discipline to Taylor dated May 1, 2017 setting out grounds and giving notice of intent to impose probation on Taylor's license with the terms and conditions set out therein.
3. Taylor timely requested a hearing.
4. Taylor, in resolution of the Department's concerns and to avoid imposition of a term requiring additional staff during the period of probation upon her license, and the Department agree to the terms of this Agreed Settlement and expressly agree that violation of any of the terms of this Agreed Settlement is grounds for discipline of Taylor's license, up to revocation, or such other discipline as the Department may determine appropriate. Taylor hereby waives her right to an administrative contested case hearing and any right to judicial review of an order which accepts and adopts the terms of this Agreed Settlement.
5. Taylor and the Department consent to the Chief Medical Officer, Director of Public Health, entering an Order adopting this Agreed Settlement and ordering compliance with its terms, placing Taylor's Family Child Care Home II license on Probation for a period of one year effective ten (10) days after an Order approving this Agreed Settlement. Terms and conditions include:
 - a. Within sixty (60) calendar days of an Order approving this Agreed Settlement, Taylor must register/enroll, attend and successfully complete a minimum of:

i. Three hours minimum of face-to-face training/counseling related to stress management. Taylor will meet with a licensed or certified counselor to determine a plan of action to address how Taylor will manage stress and how that will be implemented and monitored. Taylor will follow the recommendation of the counselor. Taylor will provide the Department a copy of the counselor's recommendations after completion.

ii. Taylor and all staff must complete the Power to Protect module of Safe with You which includes reporting and preventing abuse and neglect of children. This training has been approved by the Early Childhood Training Center as well as the Department of Health and Human Services, as meeting the requirements for acceptable training for child care program staff. This training will not count toward the required 12 hours of annual training. Taylor must submit verification of attendance and successful completion within fifteen calendar days after completion of the approved training.

b. Within fifteen (15) calendar days of an Order approving this Agreed Settlement, Taylor must develop and establish written policies, procedures and plans on how Taylor will ensure that:

- i. staff-to-child ratio is adhered to at all times; and
- ii. any injuries that require medical attention will be reported to the Department accurately and honestly.

These policies, procedures and plans must be submitted to the Department for approval. The Department agrees that after reviewing these written policies, procedures and plans, it will either approve or require modifications. If modifications are required, Taylor agrees to reply within ten calendar days of notice by the Department by resubmitting the written policies, procedures and plans to the Department for approval.

The Department reserves the right to make minor unilateral modifications to the written policies, procedures and plans. Once approved by the Department, Taylor agrees to implement the written policies, procedures and plans as approved by the Department.

Taylor must acknowledge through written receipts that her staff have read and understand these policies, procedures and plans. These receipts will be available to the Department for review upon request.

c. All documentation required must be submitted to Brenda Herring, Child Care Inspection Specialist, Children's Services Licensing, Licensure Unit, Division of

Public Health, 1955 East Military, Fremont, Nebraska, 68025-5467, or at such other address as directed, in writing, by the Department.

6. Compliance will be monitored by 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.). Taylor and any employees and/or agents must cooperate with the Department in these monitoring inspections.

7. A copy of this Agreed Settlement must be posted with the current child care license so it is clearly visible to parents and agency representative.

8. If Taylor discontinues the child care program for any reason, the time Taylor 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 Taylor Tot's and/or Stacy Taylor as licensee/director/owner shall be subject to the terms of this probation including completion of the probation period. Taylor must notify the Department, in writing, within seven (7) working days of any period that she is not actively operating the program. Active operation is the provision of child care for a minimum of forty (40) hours a week for fifty (50) weeks of a calendar year.

9. No coercion threats, or promises other than those stated herein were made to Taylor to induce him to enter into this Agreed Settlement.

10. If the Chief Medical Officer, Director 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 accepting and adopting the parties' agreement in settlement of this matter.

AGREED TO:

State of Nebraska)
County of Platte) ss.



Stacy Taylor

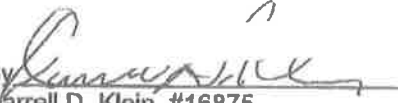
Acknowledged before me by Stacy Taylor this 14 day of July, 2017.



Notary Public



**Department of Health and Human
Services Division of Public Health**

By 
Darrell D. Klein #16875
P.O. Box 95026
Lincoln, Nebraska 68509-5026
(402) 471-4052
Its attorney

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES

Pete Ricketts, Governor

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

IN THE MATTER OF:)
THE OPERATING FAMILY CHILD CARE HOME)
II LICENSE OF STACY TAYLOR D/B/A TAYLOR)
TOT'S DAYCARE)

NOTICE OF
DISCIPLINARY ACTION

LICENSED LOCATION: 4908 35th STREET, COLUMBUS, NE., 68601
LICENSE NUMBER: FII8859
CAPACITY: 12
AGES: 6 WEEKS TO 13 YEARS
HOURS AND DAYS: 24 HOURS A DAY, MONDAY THROUGH FRIDAY
DATE INITIALLY LICENSED: APRIL 15, 2005

NOTICE:

Stacy Taylor (hereinafter referred to as "Taylor") is notified that the Department of Health and Human Services, Division of Public Health, (hereinafter referred to as "Department") is imposing disciplinary action against Taylor's Family Child Care Home II 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 2-008.01 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 an individual served by or employed at the program;” ...

391 NAC 2-006.02 Licensee Qualifications and Requirements: “The Family Child Care Home II licensee must: ... 4. Be responsible for the day-to-day operation of the child care program; ... 7. Be in compliance with all regulations whenever any children are in care; ... 16. Not engage in or have a history of behavior injurious to or which may endanger the health or morals of children;” ...

391 NAC 2-006.08B Staff-to-Child Ratio: “The appropriate staff-to-child ratio must be met at all times, as follows.

- 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
1-10	1
11-12	2

- a. Programs serving children of mixed ages may provide care for up to three infants if no more than two of the infants are under 12 months of age.
- b. Programs serving ten children with one staff are limited to two infants and the ninth and tenth children must be school-age.

FACTS:

On January 30, 2016, a child in Taylor’s care sustained a spiral fracture of the femur. As a result of the injury, Taylor was under investigation for possible child abuse. On February 6, 2016, Taylor signed and accepted the terms of an Interim Licensing Agreement. The Agreement stated, in part, that Taylor would not be left alone with child care children until the investigation was completed and findings determined.

The child abuse allegations were not substantiated, however, on March 10, 2017, Taylor was convicted of False Reporting. Taylor admitted that she had provided false information to the Columbus Police Department during the investigation. It was also determined during the investigation that Taylor violated staff-to-child ratio when her secondary provider and husband, William (Bill) Taylor, would routinely leave in the afternoon to transport their children from school, leaving Taylor alone at the program. The Department also determined that on the date the child sustained the injury, Taylor was in violation of staff/child ratio by having nine children in care; none of which were school-age with one provider.

DISCIPLINARY ACTION IMPOSED:

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

1. Taylor's Family Child Care Home II license is placed on Probation for a period of one year effective May 17, 2017. Terms and conditions include:

a. By August 17, 2017, Taylor must register/enroll, attend and successfully complete a minimum of:

- Three hours minimum of face-to-face training/counseling related to stress management.
- Taylor and all staff must complete the Power to Protect module of Safe with You which includes reporting and preventing abuse and neglect of children

This training must be approved by the Early Childhood Training Center as well as the Department of Health and Human Services, as meeting the requirements for acceptable training for child care program staff.

Prior to Taylor participating in any training, Taylor must submit in writing the following to the Department, in order for the Department to determine if the training meets the requirements for which it is intended: training curriculum, date and time of training, name of the training, presenter/instructor's name, and the number of hours. This training will **not** count toward the required 12 hours of annual training.

Upon receipt of the above information, the Department will either approve or require additional information in writing from Taylor within ten working days of the receipt of the letter requesting approval of the training. If additional information is required, Taylor must reply with the required information within ten calendar days of notice by the Department.

Taylor must submit verification of attendance and successful completion within fifteen calendar days after completion of the approved training.

b. A stress management counseling session is required. Taylor will meet with a certified licensed counselor to determine a plan of action to address how Taylor will manage stress and how that will be implemented and monitored. Taylor will follow the recommendation of the counselor. Taylor will provide a copy of the counselor's recommendations after completion.

c. By May 17, 2017, Taylor must develop and establish written policies and procedures on how Taylor will ensure that:

- staff-to-child ratio is adhered to at all times; and
- any injuries that require medical attention will be reported to the Department accurately and honestly.

These policies and procedures and plans must be submitted to the Department for approval. The Department agrees that after reviewing these written policies, procedures and plans, it will either approve or require modifications. If modifications are required, Taylor agrees to reply within ten calendar days of notice by the Department by resubmitting the written policy to the Department for approval.

The Department reserves the right to make minor unilateral modifications to the written policies, procedures and plans. Once approved by the Department, Taylor agrees to implement the written policies, procedures and plans as approved by the Department.

Taylor must acknowledge through written receipts that her staff have read and understand these policies and procedures. These receipts will be available to the Department for review upon request.

d. Taylor must ensure that one staff above the minimum required to meet staff-to-child ratio is always present during the probationary period. This staff is in addition to Stacy Taylor and William (Bill) Taylor. By May 17, 2017, Taylor must submit an Amended Application along with records indicated in 391 NAC 2-006.05A Primary Provider and Staff. Once this individual is approved, s/he will be allowed to be present as an additional staff. Taylor can request in writing to the Department after six months of full compliance with staff-to-child ratio to no longer have the additional staff.

e. All documentation required must be submitted to Brenda Herring, Child Care Inspection Specialist, Children's Services Licensing, Licensure Unit, Division of Public Health, 1955 East Military, Fremont, Nebraska, 68025-5467, or at such other address as directed, in writing, by the Department.

2. Compliance will be monitored by 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.). Taylor 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 child care license so it is clearly visible to parents and agency representative.

4. Failure to comply with the terms of this disciplinary action, the applicable Child Care 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 Taylor discontinues the child care program for any reason, the time Taylor 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 Taylor Tot's and/or Stacy Taylor as licensee/director/owner shall be subject to the terms of this probation including completion of the probation period. Taylor must notify the Department, in writing, within seven (7) working days of any period that it is not actively operating the program. Active operation is the provision of child care for a minimum of forty (40) hours a week for fifty (50) weeks of a calendar year.

BE ADVISED:

Pursuant to Nebraska Revised Statutes, section 71-1922, this action becomes final on May 16, 2017, 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 no later than May 16, 2017. It should be addressed to:~~

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

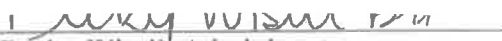
If you request a hearing, you will be notified of the time, date and place of the hearing and other pertinent information, by separate notice. On the basis of such hearing, the director will affirm, modify or rescind the determination of the Department. Be advised that pursuant to Nebraska Revised Statutes, 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.

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: May 1, 2017

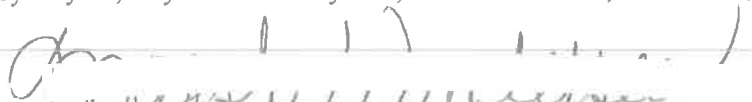
Thomas L. Williams, MD
Chief Medical Officer
Director, Division of Public Health
Department of Health and Human Services




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

CERTIFICATE OF SERVICE

COMES NOW, the undersigned and certifies that on the 1 day of May, 2017, a copy of the foregoing **NOTICE OF DISCIPLINARY ACTION** was sent by certified and first class United States mail, sufficient postage prepaid to Stacy Taylor, Taylor Tot's Daycare, 4908 35th Street, Columbus, Nebraska, 68601.


Marsha Wandersee

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

March 23, 2017

Taylor Tot's Daycare
Attn: Stacy Taylor
4908 35th St
Columbus Ne 68601

Dear Ms. Taylor,

This letter is to inform you that the Licensing Agreement you signed on February 6, 2016 has been terminated effective March 23, 2017.

If you have any questions, please contact me at 402-471-9193

Sincerely,


Kathee Sanchez, Child Care Licensing Supervisor
301 Centennial Mall South
PO Box 94986
Lincoln NE 68509-4986
Kathee.sanchez@nebraska.gov
(402) 471-9193

Cc: File
Marsha Wandersee



Division of Public Health

State of Nebraska
Pete Ricketts, Governor

INTERIM LICENSING AGREEMENT

I, Stacy Taylor, hereby state and declare:

I am the licensee of a Family Child Care Home II, Taylor Tot's Daycare, located at 4908 35th St, Columbus, NE 68601, licensed to provide services from 6:30 AM to 12:00 midnight Monday through Friday for children ages 6 weeks to 13 years of age.

I agree to comply with all the Regulations Governing Licensure of a Family Child Care Home II license as long as I am licensed by the State of Nebraska to provide child care services.

I understand and agree to comply with:

I understand and agree to not be alone with child care children, except my own children, until such time as the investigation is complete.

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 clears background checks, that I shall voluntarily close my program until such time that the investigation by _____ 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 that Children's Services Licensing staff shall conduct announced or unannounced visits to my program to determine compliance with this Licensing Agreement.

I understand that a copy of this redacted Licensing Agreement will be available on the web site. I understand I am to inform parents that I will be having another adult to help supervise the children and will obtain confirmation of the parent's being informed of this and provide documentation within 10 days of signing the agreement to the Office of Children's Services Licensing, Attn: Brenda Herring, 1955 E. Military Ave., Fremont, NE 68025.

This Agreement shall be in effect from the signing of this Agreement for as long as the investigation continues. 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.

Witness

Date

[Signature]
2/6/16

Provider/License

4908

Street/Address

3514 St
Columbus, NE 68601

2-6-16

Date