

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

September 13, 2017

Kid's Place
o/b Kid's Place Childcare Inc.
222 Cherry Street
Louisville, NE 68037

Civil Penalty Payment – License No. CCC9002

Dear Licensee:

This letter is to acknowledge receipt, as of September 13, 2017, of check number 5605 in the amount of \$117.00 which is payment remitted in accordance with the Notice of Disciplinary Action issued on September 8, 2017 by Thomas L. Williams, MD, Chief Medical Officer, Director, Division of Public Health, Department of Health and Human Services. Therefore, the total amount of \$117.00 has been paid in full.

Thank you for your remittance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Becky Wisell".

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

BW/rk

Cc: Children's Services Licensing

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 CHILD CARE CENTER)
LICENSE OF KID'S PLACE OWNED BY KID'S) **NOTICE OF**
PLACE CHILDCARE, INC.) **DISCIPLINARY ACTION**
LICENSED LOCATION: 222 CHERRY ST., LOUISVILLE, NE, 68037
LICENSE NUMBER: CCC9002
CAPACITY: 39
AGES: SIX WEEKS TO 13 YEARS
HOURS AND DAYS: 6:00 A.M. TO 5:30 P.M., MONDAY THROUGH FRIDAY
DATE INITIALLY LICENSED: JANUARY 16, 2008

NOTICE:

Kid's Place Childcare, Inc. (hereinafter referred to as "Licensee") is notified that the Department of Health and Human Services, Division of Public Health, (hereinafter referred to as "Department") is imposing disciplinary action against the Licensee's Child Care Center 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 3-008.01 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 3-006.02 Director Requirements: "The director is responsible for managing the day-to-day operations of the child care center. ... The director must: ... 13. Ensure that staff-to-child ratios are met at all times; ...

391 NAC 3-006.15B Staffing Requirements: ... "2. Each room where children are receiving care must have a teacher who is involved with the direct care of children." ...

391 NAC 3-006.15C Staff-to-Child Ratio: "The center must maintain accurate staff and daily attendance records to verify compliance with staff-to-child ratios. Compliance with staff-to-child ratios is determined on a center-wide basis.

Only staff involved in the direct care of children are counted. The appropriate staff-to-child ratios must be met at all times, as follows.

Age of Children	Number of Children in Care	Number of Staff Required
6 weeks to 18 months	4	1
18 months to 3 years	6	1
3 years	10	1
4 and 5 years	12	1
School-age	15	1

391 NAC 3-006.23A Infant Care Rooms: Rooms where infants are receiving care must be limited to the care of no more than 12 children at any one time.

FACTS:

Christina DeBrie (hereinafter referred to as "DeBrie") is listed as the director of record of this facility. Rebecca Huss (hereinafter referred to as "Huss") is listed as Licensee of the program and President of the corporation.

On February 24, 2017, Kid's Place's license was placed on Probation for violation, in part, to staffing requirements, supervision of children, director requirements and staff-to-child ratio.

On March 3, 2017; May 1, 2017; and July 12, 2017 Angie Lewis (hereinafter referred to as "Lewis") Child Care Inspection Specialist, Children's Services Licensing, Licensure Unit, Division of Public Health, conducted unannounced monitoring inspections and found no violations pertaining to staff-to-child ratio or infant room ratio.

On August 10, 2017 at 11:45 a.m., Lewis conducted an unannounced monitoring inspection and found three staff were present when the number of children in care required four staff to be present. Lewis also observed one infant in care in a room with a total of 13 children present.

DISCIPLINARY ACTION IMPOSED:

Based upon the facts set out above and the fact that the conditions of the Probation have been violated, the Department intends to impose the following:

1. The Licensee is assessed a civil penalty in the amount of \$117.00 (\$3.00 times license capacity of 39 children for one day of non-compliances, August 10, 2017).

Said penalty in the amount of \$117.00 must be paid on or by October 26, 2017 which is thirty (30) calendar days from the effective date of this notice, September 26, 2017 and must be payable to the Nebraska Department of Health and Human Services, Division of Public Health, Licensure. Said penalty must be sent to Rita Krusemark, Program Specialist, Nebraska Department of Health and Human Services, Division of Public Health, Licensure, Children's Services Licensing, PO Box 94986, Lincoln, Nebraska, 68509-4986.

2. The Licensee's Child Care Center license remains on probation for a period of one year effective February 24, 2017 and the licensee must continue to comply with all terms of the Notice of Disciplinary Action dated February 8, 2017.

3. Failure to comply with the terms of this disciplinary action, the applicable Child Care Regulations, and failure to pay the civil penalty may 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.

BE ADVISED:

Pursuant to Nebraska Revised Statutes, section 71-1922, this action becomes final September 25, 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 on or by September 25, 2017. It should be addressed to:

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

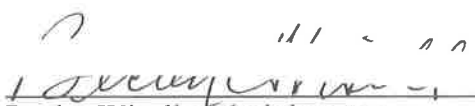
If you request a hearing, you will be notified of the time, date and place of the hearing and other pertinent information, by separate notice. On the basis of such hearing, the director will affirm, modify or rescind the determination of the Department. Be advised that pursuant to Nebraska Revised Statutes, 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 71-1920 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."

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: September 8, 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 8 day of September 2017, a copy of the foregoing **NOTICE OF DISCIPLINARY ACTION** was sent by certified and first class United States mail, sufficient postage prepaid to Kid's Place, 222 Cherry St., Louisville, Nebraska, 68037, Kid's Place Childcare, Inc., 222 Cherry St., Louisville, Nebraska, 68037, Rebecca Huss, Registered Agent, Kids's Place Childcare, Inc., 222 Cherry St., Louisville, Nebraska, 68037, and Rebecca Huss, 709 Lakeview Drive, Melrose, Iowa, 52569.


Rita Krusemark, Program Specialist

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

February 27, 2017

KID'S PLACE
Kid's Place Childcare, Inc., Owner
Rebecca Huss, Registered Agent
222 Cherry Street
Louisville, NE 68037


Dear Ms. Huss:

In accordance with the Notice of Disciplinary Action issued on February 8, 2017, by Thomas L. Williams, MD, Chief Medical Officer and Director, Division of Public Health, Department of Health and Human Services, your original License to operate a Child Care Center in the State of Nebraska has been placed on Probation. A license imprinted with the term "PROBATION" is enclosed. This status became effective February 24, 2017, and it will remain in effect until February 24, 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: Marsha Wandersee, 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

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

KID'S PLACE CHILDCARE INC

Is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an
Operating Child Care Center
located at: 222 CHERRY ST Louisville NE 68037

A maximum of 39 children in ages 6 WKS to 13 YRS may be in attendance at any one time during the hours of 0600 to 1730 on MTWTHF.

KID'S PLACE owned by KID'S PLACE CHILDCARE INC is hereby issued License No. CCC9002
which is
effective on 01/28/2009

Amended: 02/24/2017

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
February 28, 2017.



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

NEBRASKA

Good Life. Great Mission.



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 CHILD CARE CENTER
LICENSE OF KID'S PLACE OWNED BY KID'S
PLACE CHILDCARE, INC.**

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**NOTICE OF
DISCIPLINARY ACTION**

LICENSED LOCATION: 222 CHERRY ST., LOUISVILLE, NE, 68037
LICENSE NUMBER: CCC9002
CAPACITY: 39
AGES: SIX WEEKS TO 13 YEARS
HOURS AND DAYS: 6:00 A.M. TO 5:30 P.M., MONDAY THROUGH FRIDAY
DATE INITIALLY LICENSED: JANUARY 16, 2008

NOTICE:

Kid's Place Childcare, Inc. (hereinafter referred to as "Licensee") is notified that the Department of Health and Human Services, Division of Public Health, (hereinafter referred to as "Department") is imposing disciplinary action against the Licensee's Child Care Center 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 3-008.01 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 3-006.02 Director Requirements: "The director is responsible for managing the day-to-day operations of the child care center. ... The director must: ... 13. Ensure that staff-to-child ratios are met at all times; ...

391 NAC 3-006.15B Staffing Requirements: ... "2. Each room where children are receiving care must have a teacher who is involved with the direct care of children." ...

391 NAC 3-006.15C Staff-to-Child Ratio: "The center must maintain accurate staff and daily attendance records to verify compliance with staff-to-child ratios. Compliance with staff-to-child ratios is determined on a center-wide basis.

Only staff involved in the direct care of children are counted. The appropriate staff-to-child ratios must be met at all times, as follows.

Age of Children	Number of Children in Care	Number of Staff Required
6 weeks to 18 months	4	1
18 months to 3 years	6	1
3 years	10	1
4 and 5 years	12	1
School-age	15	1"

391 NAC 3-006.19 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."

391 NAC 3-006.23A Infant Care Rooms: "Rooms where infants are receiving care must be limited to the care of no more than 12 children at any one time."

FACTS:

Christina DeBrie (hereinafter referred to as "DeBrie") is listed as the director of record of this facility. Rebecca Huss (hereinafter referred to as "Huss") is listed as Licensee of the program and President of the corporation.

On May 17, 2016, Kid's Place's license was placed on Corrective Action Status for violation, in part, of staffing requirements, supervision of children, director requirements and staff-to-child ratio.

On June 22, 2016 at 9:15 a.m., Angie Lewis (hereinafter referred to as "Lewis"), Child Care Inspection Specialist, Children's Services Licensing, Licensure Unit, Division of Public Health, conducted an

unannounced semiannual/monitoring inspection of the Corrective Action Status and found four staff were required but three staff were present. Staff-to-child ratio was violated at this inspection.

Lewis conducted a monitoring inspection on July 26, 2016 at 12:15 p.m. and found the center in compliance with staff-to-child ratio. However, Lewis reviewed staff and child attendance records and found that on June 22, 2016 between 5:50 a.m. and 6:35 a.m., two staff were required but only one staff was available to care for children. On this same date between the hours of 6:36 a.m. and 7:57 a.m., three staff were required but only two staff were available to care for children. This made a total of three times on June 22, 2016 that Kid's Place violated staff-to-child ratio.

A monitoring/follow-up inspection was conducted on August 31, 2016 at 1:25 p.m. Lewis's review of records for August 23, 2016 indicated that staff-to-child ratio was violated between 7:25 a.m. and 7:50 a.m. in that four staff were required but three staff were present to care for 23 children of mixed ages. At this time, Lewis required that DeBrie train staff on calculating staff-to-child ratio to prevent violations. Proof of staff being trained on staff-to-child ratio was received by Lewis on October 7, 2016.

An unannounced semiannual/monitoring inspection was conducted on November 1, 2016 at 10:30 a.m. by Lewis. At that time, Lewis observed that staff-to-child ratio was met; however, three infants were in a room with 11 other children of mixed ages. Lewis directed DeBrie to reduce the number of children in care to 12 or fewer in the room when infants are in care. This had been cited as a violation previously on July 26, 2016 but corrected. DeBrie indicated in a written statement dated November 1, 2016 to Lewis that "Once 12 children are in the big room babies will be moved to the infant room."

On November 15, 2016 at 12:35 a.m., Lewis conducted a monitoring inspection prior to the expiration of the Corrective Action Status. Upon arrival, three staff were required but only two staff were available to care for children. Lewis could hear children crying from the infant room. One staff member, Amber, entered the infant room directly in front of Lewis. No staff were in the infant room with the children (two infants, a toddler, and a three year old) before Amber and Lewis entered the room and observed the children. Amber admitted she left the children alone in the room.

DISCIPLINARY ACTION IMPOSED:

Based upon the facts set out above and the fact that the Corrective Action Status has not been completed satisfactorily, the Department intends to impose the following:

1. The Licensee's Child Care Center license is placed on probation for a period of one year effective February 24, 2017. The following terms and conditions will apply:

a. Infants must be assigned to a specific staff. Staff assigned to infants must be identified in writing and assigned to the same infants whenever possible. If assigned staff are not available, an alternative plan must be available. Staff assignments must be posted.

b. By February 24, 2017, the Licensee will submit written policies and procedures describing how Kid's Place will ensure that staff-to-child ratio will be maintained at all times children are in attendance as well as ensuring that adequate and appropriate supervision is provided at all times. The written plan should incorporate, but not be limited to: the use of checklists, staffing charts, frequent monitoring, accountability, confirmation that the director has verified staff-to-child ratio before the director or staff

leave the premises and confirmation of staff understanding of the need to notify the director or designee prior to leaving, etc.

The Department agrees that after reviewing this written plan, it will either approve or require modifications. If modifications are required, the Licensee must, within ten calendar days of notice by the Department, resubmit the written plan to the Department with the required modifications. The Department reserves the right to make minor unilateral modifications to the written plan. Once approved, the Licensee agrees to implement the plan as approved by the Department.

c. By February 24, 2017, the Licensee will submit a written plan identifying how the program will ensure that each room is adequately staffed at all times children are in attendance and how this will be accomplished. Plan is to include a written record of infants in care that is posted for staff to view to ensure that no more than 12 children are in care when an infant(s) is in care in the room.

The Department agrees that after reviewing this written plan, it will either approve or require modifications. If modifications are required, the Licensee must, within ten calendar days of notice by the Department, resubmit the written plan to the Department with the required modifications. The Department reserves the right to make minor unilateral modifications to the written plan. Once approved, the Licensee agrees to implement the plan as approved by the Department.

d. Staff-to-child ratio must be checked and documented at least twice during the day at varying times during the probationary period. Documentation must be maintained on the child care premises and available for review by the Department upon request. If at any time the program is out of compliance with staff-to-child ratio, this is to be recorded and submitted to the Department.

e. The Licensee will submit a written plan as to how the above policies and procedures will be implemented and how current and new staff will be made aware of these policies and procedures.

f. By February 24, 2017, the Licensee must submit a list of all current staff employed along with their planned work schedule. In addition, the Licensee must submit a list of all current children enrolled along with their birthdate and planned schedule of attendance. All updates must be sent to Lewis if staff are added, along with the new work schedule.

2. The Licensee is responsible for paying for all costs associated with compliance.

3. All documentation required must be submitted to Department, Attn: Angie Lewis, Child Care Inspection Specialist, Children's Services Licensing, Licensure Unit, Division of Public Health, Courthouse, 1700 Stone Street, Falls City, Nebraska, 68355, or at such other address as directed in writing, by the Department.

4. 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.). The Licensee and any employees and/or agents must cooperate with the Department in these monitoring inspections.

5. 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 representatives.

6. 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.

7. If the Licensee discontinues the child care program for any reason, the time the Licensee 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 Kid's Place and/or Kid's Place Childcare, Inc. as licensee/director/owner shall be subject to the terms of this probation including completion of the probation period. The Licensee 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 February 23, 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 on or by February 23, 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: February 8, 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 8 day of February, 2017, a copy of the foregoing **NOTICE OF DISCIPLINARY ACTION** was sent by certified and first class United States mail, sufficient postage prepaid to Kid's Place, 222 Cherry St., Louisville, Nebraska, 68037, Kid's Place Childcare, Inc., 222 Cherry St., Louisville, Nebraska, 68037, Rebecca Huss, Registered Agent, Kid's Place Childcare, Inc., 222 Cherry St., Louisville, Nebraska, 68037, and Rebecca Huss, 709 Lakeview Drive, Melrose, Iowa, 52569.


Marsha Wandersee

May 23, 2016

KID'S PLACE
Rebecca Huss, Licensee
222 Cherry Street
Louisville, NE 68037

Dear Ms Huss:

In accordance with the letter written by Kathee Sanchez, Child Care Licensing Supervisor, on May 17, 2016, your original License to operate a Child Care Center 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 May 17, 2016, and it will remain in effect until November 17, 2016. 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: Marsha Wundersee, 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

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

KID'S PLACE CHILDCARE INC

is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an
Operating Child Care Center

located at: 222 CHERRY ST. Louisville NE 68037

A maximum of 39 children in ages 6 WKS to 13 YRS may be in attendance at any one time during the hours of 0600 to 1730 on MTWTHF

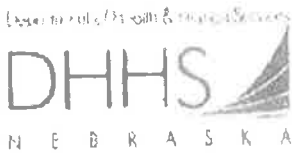
KID'S PLACE owned by KID'S PLACE CHILDCARE INC is hereby issued License No. CCC9002
whose status is Active-Corrective Action Status effective from 05/17/2016

Amended: 05/17/2016

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
May 25, 2016.



Courtney N. Pohl
Chief Executive
Department of H



Division of Public Health

State of Nebraska
Pete Ricketts, Governor

May 17, 2016

Rebecca Huss, Licensee
Christina DeBrie, Director
Kid's Place owned by Kid's Place Childcare, Inc.
222 Cherry Street
Louisville, NE 68037

EMAIL AND REGULAR MAIL

Dear Ms. Rebecca Huss and Ms. Christina DeBrie:


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 May 17, 2016. (Please post this plan at your facility).

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, May 17, 2016 to November 17, 2016.

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,


Kathee Sanchez
Child Care Licensing Supervisor
301 Centennial Mall South
PO Box 94986
Lincoln, NE 68509-4986
Phone (402) 471-9193 FAX (402) 471-6407
kathee.sanchez@nebraska.gov

cc.
Angie Lewis - Child Care Inspection Specialist
Marsha Wandersee
File

PLAN OF CORRECTION

Staffing requirements: Explained to staff that there are to be no children in a room without a teacher. Explained the difference between a teacher and support staff.

Supervision of Children: Informed the staff that under no circumstances are children to be left in a room by themselves or with only support staff. There is to be a teacher in the room at all times.

Prohibited Language, Materials, and Actions: Staff must be aware of all people entering or leaving the center. We are implementing a new policy in our staff handbook effective immediately concerning boyfriend/girlfriend visits while at work. The doors leading into the center from the entryway will be locked so that anyone entering the area where children are will have to have the door unlocked for them.

Staff and Volunteer Orientation and Training: All new hires will be given an orientation and tour of the center on their first day of work. This will include duties and responsibilities, infection control practices, abuse policies and procedures, state regulations, evacuation and safety plans, and discipline policies.

Non certified teachers: The owner and director will make sure that all staff is informed of the difference between teachers and support staff. They will also address with the staff what is required to be classified as a teacher and that only teachers can be left in a room with children. A teacher must supervise support staff in a room. Staff will be held responsible for making sure that they are following these rules.

Reports of Law Enforcement Contact:

Background Checks:

Criminal History Record Checks: In order to always have the appropriate paperwork on site; we will now have two sets of files for each employee. Originals will be kept in the office. Copies will be located in an unlocked area of the center so that all staff can access them. This will ensure that if paperwork comes up missing there will still be a complete staff file on premises.

Director Requirements: The director is in daily contact with the licensee and relays all information regarding the daycare center. It has been this way for eight years and will continue to be this way. All staff knows that they are free to contact either the director or owner at anytime about anything concerning the center. The director will make sure that all new hires are given a complete orientation before working with children. The director will ensure that all required paperwork is completed for each staff member and that copy files are checked weekly to make sure that information has not been removed from any staff or child files. The director will create a system for staff to identify and review complaints and concerns; this will also help them track patterns in operation concerns.

Annual Training: We have stressed to staff the training requirement. In the past staff have not been cooperative in respect to attending scheduled classes. We will be instituting a policy-making classes scheduled by the director mandatory for staff attendance.

Staff Child Ratio: All staff and volunteers are now required to clock in when they are working whether they are getting paid or not. We have adjusted our scheduling to have staff come in earlier to cover the days when children arrive early. We have had an ad running in the Plattsburgh Journal for a month and we have flyers up around town trying to hire someone. We have submitted background checks for two potential employees. Between offering overtime, hiring more employees, and the owner coming in to work, we will ensure that the staff to child ratio is always met during business hours.

Documentation that will be provided to the Department of Health and Human Services will include our employee handbook with all changes due to this corrective action highlighted. We will be documenting and having staff sign acknowledging that they understand the new policies and what is required of them. Copies of these will be sent as well. All changes will be completed within one month from now.



Division of Public Health

State of Nebraska
Pete Ricketts, Governor

April 25, 2016

**EMAIL and REGULAR MAIL
AMENDED CAS**

Rebecca Huss, Licensee
Christina DeBrie, Director
Kid's Place owned by Kid's Place Childcare, Inc.
222 Cherry Street
Louisville, NE 68037

Dear Ms. Rebecca Huss and Ms. Christina DeBrie:

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:

- The Licensee is unable to comply with all licensure requirements and standards or has had a history of noncompliance;
- 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
- The Licensee has a written plan of correction that has been approved by the department.

On April 14, 2016 Child Care Inspection Specialist Angie Lewis and Supervisor Kathee Sanchez conducted a complaint investigation regarding the facility being understaffed. At the inspection staff to child ratio was in compliance, however, through a records check and interview with the director and past staff person, it was substantiated that the facility was understaffed three separate occasions during the day on April 12, 2016. November 2013 the Child Care Center was placed on a Licensing Agreement effective 11-20-12 to 11-20-13, which included maintaining staff to child ratio.

NAC 3-006.15C Staff-to-Child Ratio: The center must maintain accurate staff and daily attendance records to verify compliance with staff-to-child ratios. Compliance with staff-to-child ratios is determined on a center-wide basis.

Only staff involved in the direct care of children are counted. The appropriate staff-to-child ratios must be met at all times, as follows.

Age of Children	Number of Children in Care	Number of Staff Required
6 weeks to 18 months	4	1
18 months to 3 years	6	1
3 years	10	1
4 and 5 years	12	1
School age	15	1

Based on the facts presented above and the regulations violated, the department is adding this violation to the offer sent on April 6, 2016, placing your operating license on Corrective Action Status for a period of six 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, 1700 Stone Street, 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 any questions regarding this letter, please contact Angie Lewis, CCIS, (402) 245-4439 or Kathee Sanchez, Child Care Licensing Supervisor, (402) 471-9193.

Sincerely,

Kathee Sanchez, Child Care Licensing Supervisor
Office Children's Services Licensing
Nebraska Department of Health and Human Services
301 Centennial Mall South PO Box 94986
Lincoln, NE 68509-4986

Angie Lewis, Child Care Inspection Specialist
Office of Children's Services Licensing, Central Office
Family & School Relations Department
P.O. Box 11100 Omaha, NE 68111-0110
(402) 245-4439



Division of Public Health

State of Nebraska
Pete Ricketts, Governor

April 6, 2016

CERTIFIED MAIL and REGULAR MAIL.

Rebecca Huss, Licensee
Christina DeBrie, Director
Kid's Place owned by Kid's Place Childcare, Inc.
222 Cherry Street
Louisville, NE 68037

Dear Ms. Rebecca Huss and Ms. Christina DeBrie:

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 February 11, 2016, CCIS Angie Lewis conducted a complaint inspection at Kid's Place regarding allegations that an employee of the child care center was strangled and kicked by an individual known to the employee who entered the center. Children were present in the room when this employee was assaulted on 12/30/15. The complaint was substantiated for children exposed to prohibited language and actions.

The employee who was assaulted was left alone with children in a room. This employee did not meet teacher qualifications violating staffing requirements and supervision of children.

Staff records were reviewed and further violations were cited pertaining to those records. Violation that staff were not provided with orientation before caring for children. Violation that complete background checks were not done on staff before caring for children. Violation that no proof that staff met teacher qualifications before staff cared for children alone in a room. Violation no proof of 12 hours of in-service training completed annually by staff. The center knowingly left children alone with staff that did not meet teacher qualifications; that did not have the required background checks completed; and that did not have sufficient orientation done before caring for children. Violation that center staff did not complete 12 hours of in-service training annually.

Follow-up inspections were conducted regarding this complaint on February 18, 2016; February 22, 2016; February 25, 2016; and March 21, 2016. Additional violations that were cited and corrected were: unlocked cleaning agents and poisons; dirty diapers on floor; no covered container for diaper disposal in infant room; candle burning with an open flame; toilet in disrepair; no glass pane in exit door; and fence surrounding outdoor play area in disrepair.

391 NAC 3-008.01 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;
2. Violation of an order of the Department 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:
 - a. Endangerment or neglect of children or vulnerable adults;
4. Conduct or practices detrimental to the health or safety of an individual served by or employed at the program;

391 NAC 3-006.15B Staffing Requirements

2. Each room where children are receiving care must have a teacher who is involved with the direct care of children.

391 NAC 3-006.19 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.

391 NAC 3-006.21 Prohibited Language, Materials, and Actions:

Children of any age must not be exposed to:

1. Profanity;
2. Sexually explicit material;
3. Acts of violence toward a person or animal; or
4. Acts of racism.

391 NAC 3-006.10 Staff and Volunteer Orientation and Training

3-006.10A Orientation: When new staff or volunteers are employed, those individuals must be provided with orientation prior to their having direct responsibility for the care of children. The orientation must include:

1. Job duties and responsibilities;
2. Infection control practices including proper hand washing techniques, personal hygiene, and disposal of infectious material;
3. Information on abuse, neglect and sexual abuse of children and the state's reporting requirements;

4. Child care center regulations;
5. Evacuation plans in the event of fire;
6. Safety plans in the event of a tornado;
7. Emergency preparedness in the event of a natural or man-made disaster; and
8. The center's method of interacting with children and discipline policies.

391 NAC 3-006.05B Non-Certificated Teachers: To be employed as a teacher in a licensed child care center, an individual who is not a certificated teacher must be at least 18 years of age and of good moral character, and must meet one of the following requirements:

1. Hold a bachelor's degree from an accredited college or university in early childhood education, education or child/youth development;
2. Hold an associate degree from an accredited college or university in early childhood education, education or child/youth development;
3. Have a Child Development Associate Credential; or
4. Have a high school diploma or GED; and
 - a. 1500 verified clock hours of experience in organized group activities for young children as indicated by a positive reference from a former employer or supervisor; or
 - b. Submit a written plan for Department approval to acquire at least three credit hours or 45 clock hours of training in administration, early childhood education, education, or child/youth development, in a period not to exceed six months. The licensee must maintain a copy of the written plan and Department approval for Department review.

391 NAC 3-006.03C Reports of Law Enforcement Contact: The applicant/licensee must complete a Report of Law Enforcement Contact for him/herself, if an individual or an individual in a partnership, and must obtain a completed report for each staff member and volunteer age 19 or older and each household member age 19 or older if the center is located in a private residence. The report must:

1. Be updated, signed, and dated annually;
2. Be updated any time one of these individuals is arrested, issued a citation other than a minor traffic violation, or charged with or convicted of any felony, misdemeanor, or infraction;
3. List all previous and pending criminal charges and arrests, both felony and misdemeanor, regardless of prosecution;
4. List any record of felony and/or misdemeanor charges and arrests related to crimes against children;
5. List any record of felony and/or misdemeanor convictions;
6. List any current or past parole or probation status, including diversion or court supervision; and
7. List any current List details, dates, county and state of the contact, arrest, charge, conviction, and disposition, if any.

391 NAC 3-006.03 Background Checks, Health Information, and Employment Limitations

391 NAC 3-006.03A Criminal History Record Checks:

The applicant/licensee, if an individual or an individual in a partnership, must complete a pre-employment criminal history record check on him/herself, on each staff member and volunteer age 19 or older, and on each household member age 19 or older if the center is located in a private residence. Documentation must be kept and available for review by the Department.

The check must be conducted through the Nebraska State Patrol or through one or more local law enforcement agencies, as appropriate to the individual's residence(s). If an individual has lived in Nebraska less than 12 months, the applicant/licensee must obtain documentation of a criminal history record check from the previous state(s) of residence.

391 NAC 3-006.02 Director Requirements:

The director is responsible for managing the day-to-day operations of the child care center. The director must report to the licensee all matters related to the maintenance, operation, and management of the child care center and be directly responsible to the licensee or to a person delegated governing authority by the licensee. The director must:

1. Be responsible for the center's compliance with rules and regulations;
2. Be within the child care area a sufficient number of hours to permit adequate attention to the management of the center;
3. When not in the child care area, designate another staff to act in his/her absence who will be responsible and accountable for management of the center;
4. Provide written personnel policies and policies and procedures specific to:
 - a. Job descriptions and responsibilities; and
 - b. Position qualifications, skills, knowledge, abilities and physical demands of the job;
6. Provide orientation for new staff, including training on child care center regulations;
7. Schedule training and continuing education for all staff and ensure that records are maintained including the date, topic, and length of time for each training entry;
8. Ensure that center staff identify and review incidents, accidents, complaints, and concerns, and monitor patterns and trends in overall operation and take action to alleviate problems;

391 NAC 3-006.10D Annual Training:

Each staff member, not including substitutes or volunteers, who provides direct care to children must obtain a minimum of 12 clock hours of training annually. Staff who work 20 hours or less each week must obtain six clock hours of training annually.

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 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, 1700 Stone Street, 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:

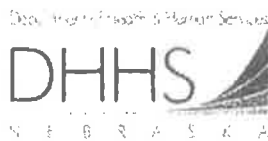
1. Issue a probationary (disciplinary) license;
2. Suspend or revoke a provisional, probationary, or operating license;
3. Impose a civil penalty of up to five dollars per child, based upon the number of children for which the program is authorized to provide child care on the effective date of the finding 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 any questions regarding this letter, please contact Angie Lewis, CCIS, (402) 245-4439 or Kathee Sanchez, Child Care Licensing Supervisor, (402) 471-9193.

Sincerely,


Kathee Sanchez, Child Care Licensing Supervisor
Office Children's Services Licensing
Nebraska Department of Health and Human Services
301 Centennial Mall South PO Box 94986
Lincoln, NE 68509-4986

cc: Angie Lewis, Child Care Inspection Specialist
Office of Children's Services Licensing, Central Office
Janet Apfelbeck, Resource Development
Rebecca Huss, 709 Lakeview Dr., Melrose IA 52569



Division of Public Health

State of Nebraska
Pete Ricketts, Governor

INTERIM LICENSING AGREEMENT

I, Christina Debrle, Director of Kid's Place located at 222 Cherry Street, Louisville NE 68307, hours of operation licensed as Monday through Friday 6:00 AM to 5:30 PM hereby state and declare:

I understand this agreement is based upon NAC 391 NAC 3-008.01 Grounds for Denial or Disciplinary Action.

I have read and understand the Regulations Governing Licensure of Child Care Centers, Title 391 NAC Chapter 3.

3-006.21 Prohibited Language, Materials, and Actions: Children of any age must not be exposed to:

1. Profanity;
3. Acts of violence toward a person or animal; or

3-008.01 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;
- b. Endangerment or neglect of children or vulnerable adults;
4. Conduct or practices detrimental to the health or safety of an individual served by or employed at the program;

I understand and agree that under no circumstances will _____ be present/ on the premises of Kid's Place during hours of operation.

I will ensure that all staff employed at Kid's Place have reviewed a redacted of this Interim Licensing Agreement. Documentation of each staff's receipt, will be submitted to Angie Lewis, Child Care Inspection Specialist, Richardson County Courthouse, 1st floor, 1700 Stone Street, Fall City, NE 68355.

I will ensure that all parents/guardians of enrolled children at Kid's Place have received a redacted copy of this Interim Licensing Agreement. Documentation of each parent's receipt, will be submitted to Angie Lewis, Child Care Inspection Specialist, Richardson County Courthouse, 1st floor, 1700 Stone Street, Fall City, NE 68355.

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

I understand and agree that upon presentation of the above information, the Office of Children's Services Licensing shall review all documentation, and make a final determination as to whether there is any violation of Child Care Center Regulations.

I understand that Children's Services Licensing staff shall conduct announced or unannounced visits to my facility to determine compliance with this Agreement.

This Agreement is also 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 effective from the signing of this Agreement until such time the Licensee receives written notification of its termination.

Should the child care license be amended because of a change of address, this Agreement may transfer to the new address if appropriate to the conditions of this Licensing Agreement.

[Signature]
Owner/Licensee/Manager/Designee

2-25-14
Date

[Signature]
Child Care Inspection Specialist
2-25-14
Date

Non-relative Witness or Notary

Date

LICENSING AGREEMENT

I, Rebecca Huss, Licensee of Kid's Place Child Care located at 222 Cherry Street Louisville, NE. 68037 hereby voluntarily state and declare:

I have read and understand the Child Care Center Standards (CRED-PAM 365).

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

I understand that this Licensing Agreement is a result of a visits conducted by Children's Services Licensing on November 6, 2012 by Marvie Sullivan-CCIS which resulted in a violation of the following regulations.

391 NAC 8-009 Staffing which states: " Staff-child ratio must be met at all times. Compliance with staff-child ratio must be determined on a center-wide basis."

"The center shall count only those persons directly involved with the immediate care of the children in the staff-child ratio"

"Each room where children are receiving care must include a teacher/assistant teacher."

"During naptime, at least one person shall be in the room where children are napping, provided that staff-child ratio is maintained on the center premises."

391 NAC 8-0009.01Staff-Child Ratio:

Age Range of Children	Number of Staff	Number of Children
6 weeks-18 months	1	4
18 months-3 years	1	6
3 years	1	10
4 and 5 years	1	12
Kindergarten and up	1	15

I understand and will ensure that staff-child ratio is met at all times.

I understand and will ensure that children are never left alone in a room.

I understand and will ensure that a staff person is always in the room with napping children."

I agree that this Licensing Agreement will be prominently posted with my Child Care Center 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 Nebraska Department of Health and Human Services, Division of Public Health, Children's Services Licensing may deem appropriate.

This Agreement shall be effect for one year from the signing of the Agreement after which time the Agreement will be reviewed and terminated, extended and/or modified. Should the Child Care Center license be amended because of change of address, this Agreement may transfer to the new address if appropriate to the conditions of the Licensing Agreement.

[Signature]
Witness

[Signature]
Provider/Licensee

11-20-12
Date

222 Cherry St
Street/Address

[Signature]
Non-relative Witness/Notary Public

Louisville, Neb 68037
City and Zip Code

11-20-12
Date

Nov 20, 2012
Date

