



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

January 3, 2019

Kerry Horton
Me, Myself & I Childcare Preschool Center LLC
1084 Royal Crest Drive
Flint, MI 48532

RE: License #: DC250384812
Investigation #: **2019D0521007**
ABC Child Care Center

Dear Mr. Horton:

Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

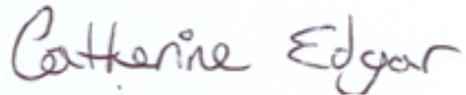
Due to the infant safe sleep violation(s), all of your infant caregivers must take training on infant safe sleep. In addition, a follow up inspection may be made to check compliance with the infant safe sleep rules.

If you desire technical assistance in addressing these issues, please feel free to contact me. In any event, the corrective action plan is due within 15 days. Failure to submit an acceptable corrective action plan will result in disciplinary action.

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (810) 787-7031.

Per MCL 722.113g, this report and any related corrective action plans must be filed in your licensing notebook.

Sincerely,

A handwritten signature in purple ink that reads "Catherine Edgar". The signature is written in a cursive, flowing style.

Catherine S. Edgar, Licensing Consultant
Bureau of Community and Health Systems
4809 Clio Road
Flint, MI 48504
(810) 931-1380

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	DC250384812
Investigation #:	2019D0521007
Complaint Receipt Date:	11/21/2018
Investigation Initiation Date:	11/21/2018
Report Due Date:	01/20/2019
Licensee Name:	Me, Myself & I Childcare Preschool Center LLC
Licensee Address:	1084 Royal Crest Drive Flint, MI 48532
Licensee Telephone #:	(810) 875-8285
Administrator:	Kerry Horton, Designee
Licensee Designee:	Kerry Horton, Designee
Name of Facility:	ABC Child Care Center
Facility Address:	4087 S. Center Road Burton, MI 48519
Facility Telephone #:	(810) 715-1577
Original Issuance Date:	11/02/2016
License Status:	REGULAR
Effective Date:	11/24/2017
Expiration Date:	11/23/2019
Capacity:	44
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
The center is out of ratio, especially during 2 nd shift.	Yes
Children sit in soiled diapers for an excessive period of time.	Yes
Children sit in high chairs for an excessive period of time.	Yes
Additional Findings	Yes

III. METHODOLOGY

11/21/2018	Special Investigation Intake 2019D0521007
11/21/2018	Contact - Telephone call made Interview with Caregiver 1.
11/21/2018	Inspection Completed On-site Unannounced onsite inspection. 5:30pm - 6:50pm. Present were Caregiver 4 and Caregiver 5 with 20 children. The 2nd shift director Xavier Brewer showed up at 5:55pm. Caregiver 6 and Caregiver 7 arrived at 6pm. Caregiver 8 arrived at 6:05pm. The owner Kerry Horton and his wife arrived at 6:10pm.
11/25/2018	Contact - Document Received E-mail received from owner Kerry Horton.
11/30/2018	Contact - Telephone call made Message left for program director Sue Finley.
11/30/2018	Contact - Telephone call made Interview with program director Sue Finley.
11/30/2018	Contact - Telephone call made Interview with Child A's mother.
12/06/2018	Contact - Document Received E-mail from licensing consultant Lisa Gundry.

12/07/2018	Contact - Telephone call made I spoke to the new first shift program director Sheri Moore.
01/03/2019	Exit conference Voice mail message left for licensee Kerry Horton.

ALLEGATION: The center is out of ratio, especially during 2nd shift.

INVESTIGATION: On November 21, 2018 I spoke to Caregiver 1. She stated that she was previously employed at the center. She said that she quit working at the center when she was scheduled to work an afternoon with only one other caregiver when 26 children were scheduled to be there. She stated that the center is almost always out of ratio during the 2nd shift. She stated that the owner Kerry Horton has told staff that it is okay to be over by 1 or 2 children. A few weeks prior she had 14 children in her care. At least one child was under the age of one year. She stated that Caregiver 3 had previously walked out when she had 19 children in her care. She stated that the children were preschool and school-aged. She did not remember the date of this or the date when she had 14 children in her care.

On November 21, 2018, I spoke to Caregiver 2. She stated that she recently quit working at the center due to having too many children in her care. She stated that on November 15, 2018, she had 19 children in her classroom at approximately 6:45pm. The children were ages 4 through 11 years. She stated that the center was out of ratio every day during 2nd shift.

On November 21, 2018, I spoke to Caregiver 3. She stated that she had walked out of the center today as she had 10 children in her care without an additional caregiver. She stated that most of the children were under the age of 2 ½. She stated that the owner Kerry Horton had told her that it was okay to have one or two children over the required caregiver to child ratio if the caregiver could handle it. She stated that if a caregiver could not handle it, the owner would try to bring in additional caregivers.

On November 21, 2018 I made an unannounced onsite inspection to the child care center. I arrived at 5:30pm and observed two caregivers, Caregiver 4 and Caregiver 5, with 20 children. 18 of the children were watching television in the main area and two children were sleeping in the adjacent infant area. At least two of the 18 children in the main area were under the age of 2 ½ years. Because the children were a mixed age group, the caregiver to child ratio is based on the age of the youngest child. The center would have to have five caregivers to be within appropriate caregiver to child ratio. The children sleeping in the adjacent infant area were an infant and a 1 year old. At 5:42pm, two parents arrived, and each picked up two children. The center remained out of ratio until the 2nd shift program director Xavier Brewer arrived at 5:55pm and additional children were picked up. He stated that he was at physical therapy and that he usually arrived at the center at 4pm daily. Two additional caregivers came in at 6pm

and one additional caregiver arrived at 6:05pm. The owner, Kerry Horton arrived at 6:10pm. He stated that the center was out of ratio because they had a caregiver walk out today (Caregiver 3). Another caregiver called in sick. He stated that the center is sometimes out of ratio but felt that the complainant had planned the center being out of ratio on today's date. He stated that the 2nd shift program director will go in a classroom, if there are not enough caregivers and will also call in caregivers if they are out of ratio. I explained that the complainant stated that the center was almost always out of ratio during the 2nd shift. I obtained the attendance logs for the week, but I was unable to determine exactly how many children were present as some of the children were not signed in or signed out. He denied telling staff that it was okay to be out of ratio by one or two children. He stated that he called additional staff in when he and his wife saw licensing arrive at the center on their video live feed of the center. It was apparent that most of if not all of the caregiver who arrived during my onsite inspection were not scheduled to work and had been called in due to this licensing consultant being at the center.

On November 30, 2018, I spoke with the 1st shift program director Sue Finley. She stated that she was in the process of transitioning out as program director and that Sheri Moore had been hired to take over as 1st shift program director. She denied being out of ratio during 1st shift but stated that she was aware of sporadic times when the center was out of ratio during 2nd shift but that this was not when she was present. She confirmed that a caregiver had recently walked out when she did not want to go to her room assigned to her that day.

On December 7, 2018, I spoke to the proposed 2nd shift program director Sheri Moore. She stated that she usually only works until 2pm so she was not aware of the center being out of ratio during 2nd shift. She stated that she will stay later after 2pm if there are not enough caregivers. She stated that Xavier Brewer, 2nd shift program director, usually works from 4pm until 10pm.

APPLICABLE RULE	
R 400.8182	Ratio and group size requirements.
	(3) In each room or well-defined space, the maximum group size and ratio of caregivers to children, including children related to a staff member or the licensee, shall be the following: (a) For infants and toddlers, there shall be 1 caregiver for 4 children and a maximum group size of 12.

ANALYSIS:	I observed the center out of ratio on November 21, 2018. Caregivers 1, 2, and 3 confirmed that the center has been out of ratio frequently, especially during 2 nd shift.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: Children sit in soiled diapers for an excessive period of time.

INVESTIGATION: When I spoke to the complainant, she did not have any specific information regarding this allegation, other than this happens regularly at the center by numerous caregivers.

When I made the unannounced onsite inspection at the center on November 21, 2018, both Caregiver 4 and Caregiver 5 denied that children sit in soiled diapers. Both caregivers stated that diapers are checked hourly and changed if necessary. Caregiver 6 was able to show me the daily logs for infants and toddlers and it appeared that diapers were checked and changed on a regular basis. The owner Kerry Horton stated that no parents have complained about diapers not being changed enough. The only complaint that they had received regarding diapering is that a parent thought caregivers were changing their child’s diaper too much.

Caregiver 2 did not have any specific information regarding children being left in soiled diapers while in care in the center. Caregiver 3 stated that approximately one month prior, Caregiver 8 had been fired for not changing diapers enough.

On November 25, 2018, licensing consultant Lisa Gundry received an e-mail from Mr. Horton. In the email, he explained that Caregiver 9 had been fired on November 8, 2018, for not properly changing children and allowing them to remain in wet diapers.

Program director Sue Finley stated that Caregiver 9 was fired after staff complained about her not changing diapers enough.

APPLICABLE RULE	
R 400.8137	Diapering; toileting.
	(6) Diapers and training pants shall be checked frequently and changed when wet or soiled.
ANALYSIS:	Diapers were not being changed when wet or soiled. The caregiver that was doing this is no longer employed at the center.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: Children sit in high chairs for an excessive period of time.

INVESTIGATION: When I spoke to the complainant, she stated that young children are often left in high chairs for up to three hours at a time. She did not have a specific date for this not thought that Child A’s mother might have witnessed this.

When I made an unannounced onsite inspection, I did not observe any children seated in high chairs. I spoke to caregivers at the center and they all denied that children are left in high chairs for extended periods of time.

Caregiver 2 stated that she witnessed other caregivers at the center put a child in a high chair to keep them from running around. She was not sure how long the children would be left in the high chair, however.

Caregiver 3 stated that toddler age children will be put in high chairs to watch television. When there are not enough caregivers at the center, they would put children in high chairs. She stated that the longest time that she observed a child being left in a high chair was three hours.

I spoke to Child A’s mother and she had no concerns about Child A (female, age 1) being left in a high chair for too long.

Owner Kerry Horton acknowledged that there had been a few isolated times when caregivers left children in high chairs for an extended length of time but that the directors stepped in to coach caregivers on how to avoid this.

APPLICABLE RULE	
R 400.8125	Staff and Volunteers.
	(1) All staff and volunteers shall provide appropriate care and supervision of children at all times.
ANALYSIS:	Per interviews with the licensee and caregivers, children had been left in high chairs for an extended period of time.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: At the time of the onsite inspection, I obtained copies of the children’s attendance for the current week. On November 19, 2018, one children had not been signed in and three children had not been signed out. On November 20, 2018, three children had not been signed in. On November 21, one child had not been signed in and another child had been signed in at 10:51pm, which had not yet occurred as I

observed this at approximately 6:30pm on November 21, 2018. Mr. Horton stated that sometimes parents aren't good at signing in and signing out their children.

APPLICABLE RULE	
R 400.8143	Children's records.
	(10) The center shall maintain an accurate record of daily attendance at the center that includes the child's first and last name and each child's arrival and departure time.
ANALYSIS:	Accurate attendance records were not being maintained.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: At the time of my November 21, 2018 onsite inspection, I observed Child B (male, age 1) sleeping in a crib with a mattress that was not flat. The sides of the mattress flared up on one end of the crib. The mattress was approximately 5-6 inches higher on one end than the other due to the mattress sheet pulling up the edges of the mattress. This also created an approximately 4-inch gap at one end of the crib.

APPLICABLE RULE	
R 400.8176	Sleeping equipment.
	(8) A crib or porta-crib shall have a firm, tight-fitting waterproof mattress.
ANALYSIS:	Child B was sleeping in a crib that did not have a firm, tight fitting mattress.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: When I arrived at the center at 5:30pm on November 21, 2018, 18 of the children in care were watching a movie on the television in the main area. At least two of the children were under the age of 2 years. None of the caregivers present or owner Kerry Horton was aware of this rule.

APPLICABLE RULE	
R 400.8179	Program.
	(8) Use of media is prohibited for children under 2 years of age.

ANALYSIS:	Children under the age of 2 years were watching television on November 21, 2018.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: At the time of the onsite inspection, I observed 18 children watching television in the main area. No other toys or materials were present in this area. There was a book shelf near the rear of this area but all of the books on the shelf were placed on the upper level so that only school-age children would have access to these materials. Many of the 18 children present watching television were toddler or preschool-age.

APPLICABLE RULE	
R 400.8179	Program.
	(9) When media are used with children 2 years of age and older, all of the following apply: (e) When media are available for children's use, other activities shall also be available to children.
ANALYSIS:	Other activities were not available to children when a movie was playing on the television.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend the status of the license remain unchanged. I also recommend increased monitoring to include unannounced onsite inspections.

Catherine Edgar

January 3, 2019

Catherine S. Edgar
Licensing Consultant

Date

Approved By:

Scott Bettys

January 3, 2019

Scott W. Bettys
Area Manager

Date