



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

August 2, 2019

Marcia Herstein
35484 Bennett St
Livonia, MI 48152

RE: License #: DF820396058
Brilliant Butterflies
35484 Bennett St
Livonia, MI 48152

Dear Mrs. Herstein:

Attached is the Licensing Study Report for the above referenced facility. Due to one or more rule violations, 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.

A six-month provisional license is recommended. If you do not contest the issuance of a provisional license, you must indicate so in writing; this may be included in your corrective action plan or in a separate document. If you contest the issuance of a provisional license, you must notify this office in writing and an administrative hearing will be scheduled. Even if you contest the issuance of a provisional license, you must still submit an acceptable corrective action plan.

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 (313) 456-0380.

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

Sincerely,

A handwritten signature in black ink that reads "Janeiro Byrd". The signature is written in a cursive style with a large, prominent "B" at the end.

Janeiro Byrd, Licensing Consultant
Child Care Licensing Division
Cadillac Pl. Ste 9-100
3026 W. Grand Blvd
Detroit, MI 48202
(313) 938-5385

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
RENEWAL INSPECTION REPORT**

I. IDENTIFYING INFORMATION

License #:	DF820396058
Licensee Name:	Marcia Herstein
Licensee Address:	35484 Bennett St Livonia, MI 48152
Licensee Telephone #:	(248) 561-2731
Licensee:	N/A
Name of Facility:	Brilliant Butterflies
Facility Address:	35484 Bennett St Livonia, MI 48152
Facility Telephone #:	(248) 561-2731
Original Issuance Date:	01/31/2019
Capacity:	6
Age Range:	Ages Birth Thru 5 years 0 months

II. METHODS OF INSPECTION

Date of On-site Inspection(s): 07/24/2019

	No. of Records Reviewed	
No. of children enrolled in care	5	5
No. of assistant caregivers employed	0	0
No. of child care children present at time of inspection	5	
No. of other children present at time of inspection	1	
No. of assistant caregivers present at time of inspection	0	
Licensee present at time of inspection?	Yes	
Persons Interviewed:		
Licensee	<input checked="" type="checkbox"/>	
Assistant Caregivers	<input type="checkbox"/>	

Approved child use space: Living room

Exiting information (including second floor and basement): Front, side and rear door wall that leads directly outdoors.

Approved variances - No Yes Description:

Key Indicator Inspection: no

Additional information:

- Pets? No Yes If yes, describe.
- Hot tubs or spa pool? No Yes If yes, are there appropriate barriers?
- Swimming pool? No Yes If yes, describe pool and barriers.
- Other water hazards? No Yes If yes, describe.
- Fireplace or wood burning stove? No Yes If yes, describe.
There is a fireplace in the home with a hearth around it.
- Fireplace/wood burner in use during child care hours? No Yes If yes, describe barriers to protect children from burns.

III. DESCRIPTION OF FINDINGS & CONCLUSIONS

This renewal inspection involved a review of all applicable child care home administrative rules and statutes. Verification of compliance included direct observations of the physical environment and the program, discussions with staff, and a review of the home's records, including staff records and children's records. Staff records include background checks, medical clearance information, and

training information. Children's records include child information cards and child in care statements/receipts.

During the inspection, the child care home was found to be in compliance with all applicable rules and statutes except for the following violations:

R 400.1907 Children's records.

(1) Prior to initial attendance, the caregiver shall obtain the following documents:

(a) A completed child information card on a form provided by the department or a comparable substitute approved by the department.

One of five children did not have a child information card on file.

R 400.1907 Children's records.

(1) Prior to initial attendance, the caregiver shall obtain the following documents:

(b) A child in care statement/receipt using a form provided by the department and signed by the parent certifying the following:

(i) Receipt of a written discipline policy.

(ii) Condition of the child's health.

(iii) Receipt of a copy of the family and group child care home rules.

(iv) Agreement as to who will provide food for the child.

(v) Acknowledgement that the assistant caregiver is 14 to 17 years of age, if applicable.

(vi) Acknowledgement that firearms are on the premises, if applicable.

(vii) If the child care home was built prior to 1978, then the caregiver shall inform the parents of each child in care and all assistant caregivers of the potential presence of lead-based paint or lead dust hazards, unless the caregiver maintains documentation from a lead testing professional that the home is lead safe.

Three of five child in care statements were incomplete. One of five children did not have a child in care statement on file.

R 400.1907 Children's records.

(3) Dated daily attendance records of children in care shall be maintained and shall include the child's first and last name and the time of arrival and departure.

The provider did not maintain dated daily attendance records of children including the child's first and last name and the time of arrival and departure.

R 400.1910 Ratio of caregiving staff to children.

(2) For each caregiving staff person, not more than 4 children shall be under the age of 30 months, with not more than 2 of the 4 children under the age of 18 months.

The caregiver to child ratio was not maintained. Three of five children present were under 18 months.

R 400.1915 Indoor space; play equipment and materials.

(2) Only space that has received prior approval for child use by the department may be used for child care.

The provider was caring for children on the second level of the home and the family room. These are not approved child use space.

R 400.1915 Indoor space; play equipment and materials.

(4) The caregiver shall not use any equipment, materials, and furnishings recalled or identified by the U.S. Consumer Product Safety Commission (<http://www.cpsc.gov/>) as being hazardous. As required by 2000 PA 219, MCL 722.1065, the caregiver shall conspicuously post in the child care home an updated copy of the list of unsafe children's products that is provided by the department.

There was no recall list posted.

R 400.1916 Bedding and sleeping equipment.

(5) Infants, birth to 12 months of age, shall rest or sleep alone in an approved crib or porta-crib. A crib shall have all of the following:

(f) A tightly fitted bottom sheet shall cover a firm mattress with no additional padding placed between the sheet and mattress.

The porta-cribs used for napping did not have tightly fitted bottom sheets to cover the mattresses.

R 400.1923 Diapering and toilet learning.

(2) The designated changing area shall comply with all of the following:

(c) Have access to a hand washing sink that is not used for food preparation.

The provider did not have access to a hand washing sink that was not used for food preparation. The provider used the kitchen sink to wash her hands after changing diapers.

R 400.1923 Diapering and toilet learning.

(2) The designated changing area shall comply with all of the following:

(e) Be cleaned and sanitized after each use.

The changing table pad was covered with a cloth cover. The designated changing area was not washed, rinsed and sanitized after diaper change.

R 400.1923 Diapering and toilet learning.

(2) The designated changing area shall comply with all of the following:

(g) Have a plastic-lined, tightly covered container exclusively for disposable diapers and diapering supplies that shall be emptied and sanitized at the end of each day.

There was no plastic-lined, tightly covered container used for disposable diapers. The provider was using a plastic bag that hung over the side of the changing table.

R 400.1924 Hand washing.

(2) Caregiving staff shall assure that children wash their hands at the following times:

(b) After toileting or diapering.

The provider changed a diaper and did not wash the infant's hands.

R 400.1931 Food preparation and service.

(10) Bottles used for feeding shall be labeled with the child's name and date, and refrigerated.

The bottles used for feeding were not labeled with the child's name, date, and refrigerated. The provider stated that she prepares bottles in the home. I also observed bottles of breast milk provided by the family in a cooler with ice pack.

R 400.1934 Heating; ventilation; lighting.

(3) A carbon monoxide detector, bearing a safety certification mark of a recognized testing laboratory such as UL (Underwriters Laboratories) or ETL (Electrotechnical Laboratory), shall be placed on all levels approved for child care.

There is no carbon monoxide detector on the second level of the home.

R 400.1943 Exit and escape requirements for each floor level used by children.

(2) At least 1 exit from each floor level shall provide a direct, safe means of unobstructed travel to the outside at street or ground level.

There was no direct, safe means of unobstructed travel to the outside at street or ground level from the bedroom window on the second level of the home.

R 400.1943 Exit and escape requirements for each floor level used by children.

(3) A window may be used as a second exit if it complies with all of the following provisions:

(a) Is accessible to children and caregiving staff.

The bedroom window located on the second level of the home used for napping was blocked by the provider's desk.

R 400.1943 Exit and escape requirements for each floor level used by children.

- (3) A window may be used as a second exit if it complies with all of the following provisions:
(b) Is clearly identified.

The bedroom window located on the second level of the home used for napping was covered with a curtain and no signage that clearly identified the second exit.

R 400.1944 Smoke detectors; fire extinguishers.

- (1) Operable smoke detectors approved by a nationally recognized testing laboratory shall be installed and maintained on each floor of the home, including the basement, and in all sleeping areas and bedrooms used by children in care.

There was no smoke detector in the bedroom on the second level of the home which was used for napping.

R 400.1944 Smoke detectors; fire extinguishers.

- (3) A home shall have at least 1 functioning multipurpose fire extinguisher, with a rating of 2A-10BC or larger, properly mounted not higher than 5 feet from the floor to the top of the fire extinguisher, on each floor level approved for child use.

There was no fire extinguisher on the second level of the home.

R 400.1945 Fire; tornado; serious accident and injury plans.

- (3) Fire drills shall be practiced at least once a month and a written record that includes the date and time it takes to evacuate shall be maintained.

The provider has not conducted any fire drills. The provider stated that the children were very young.

R 400.1945 Fire; tornado; serious accident and injury plans.

(4) Tornado drills shall be practiced once a month, April to October, and a written record that includes the date shall be maintained.

The provider has not conducted any tornado drills. The provider stated that she did not have children enrolled when initially licensed, but she will start conducting drills.

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend issuance of a first provisional license to this childcare family home (capacity 1-6 children).



July 25, 2019

Janeiro Byrd
Licensing Consultant

Date



August 2, 2019

Shirley Baskin
Area Manager

Date