



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

Matthew G. Bevin
Governor

Ideisha L. Bellamy, Director
Division of Regulated Child Care
275 E. Main Street, 5 E-F
Frankfort, Kentucky 40621-0001
(502) 564-7962
Fax: (502) 564-9350
<http://chfs.ky.gov/os/oig>

Vickie Yates Brown Glisson
Secretary

Stephanie Hold
Acting Inspector General

April 20, 2016

Via Personal Service

Ja'que Thomas, Designated Corporate Representative
K & Q, Inc.
8505 Terry Road
Louisville, Kentucky 40258

**EMERGENCY SUSPENSION
LIL KINGS & QUEENS LEARNING ACADEMY LICENSE NUMBER L359327**

Dear Ms. Thomas:

Effective immediately, your license to operate Lil Kings & Queens Learning Academy is suspended pursuant to KRS 199.896, KRS 13B.125, and 922 KAR 2:090. 922 KAR 2:090, Section 11(1) states that the Cabinet shall deny, suspend or revoke a preliminary or regular license in accordance with KRS 199.896(4) and (19) if the applicant for licensure, director, employee or a person who has supervisory authority over, or unsupervised contact with, a child fails to meet the requirements of this administrative regulation or those of 922 KAR 2:110 or 922 KAR 2:120. 922 KAR 2:090, Section 11(9) states the Cabinet shall suspend the license if the child care-center fails to comply with the approved corrective action plan. This suspension is being issued as a result of your failure to protect the health, safety and welfare of children in your care, and failure to comply with the approved corrective action plan submitted on January 7, 2016 for deficiencies cited during an allegation investigation, NEB 128804 that was conducted on October 20, 2015, inspection 192593. This suspension is being issued because the Cabinet has probable cause to believe that an immediate threat to the public health, safety, or welfare exists.

The Division of Regulated Child Care (DRCC) initiated an investigation of Lil Kings & Queens Learning Academy on April 20, 2016 upon notification that two (2) school-age children observed an unresponsive two-year-old in the back seat of the vehicle they were boarding while being picked up from the elementary school by a center staff driver. Preliminary findings revealed that the school children alerted the staff driver to the presence of the unresponsive child. Two (2) adults present at the elementary school attempted to resuscitate the two-year-old but they

Emergency Suspension of Child Care License
Page Two

were not successful. The child was found to be deceased. The staff driver verbally acknowledged having forgotten the two-year-old child. Continued staff interview revealed that the staff driver transports school-age children on a daily basis.

A review of documentation on April 20, 2016 revealed no transportation logs for the week of April 11, 2016 for three (3) children that were transported from a JCPS school program to the childcare center that recorded the time each child got on the vehicle and the time each child got off the vehicle, in violation of 922 KAR 2:120, Section 12 (17)(a)(b)(c). As a result of these findings, the center failed to comply with an approved corrective action plan for deficiencies cited on October 20, 2015. The center was also cited for a violation of this regulation during an allegation investigation conducted on October 20, 2015, NEB 128804 inspection 192593. The approved corrective action plan dated November 1, 2015 that was submitted by the center states, "Children will be signed in/out upon arrival and departure by staff. There will be a separate van roster for any children that are van riders. Director/Lead Teacher will monitor the signing of children arrival and departure in/out daily for accuracy to assure an ongoing compliance for DRCC."

A review of documentation on April 20, 2016 revealed no written record for two (2) children enrolled on February 24, 2015 that included contact information to enable a person to contact the family physician and preferred hospital; and, no enrollment record that included identifying information about a child, contact information to enable a person in charge to contact the child's parent, family physician, preferred hospital, the child's general health status and medical history, the name and telephone number of a person designated to pick up the child and no emergency medical authorization for one (1) child identified as a child enrolled at the center, in violation of 922 KAR 2:110, Section 3(1)(b). As a result of these findings, the center failed to comply with an approved corrective action plan for deficiencies cited on October 20, 2015. The center was also cited for a violation of this regulation during an allegation investigation conducted on October 20, 2015, NEB 128804 inspection 192593. The approved corrective action plan dated October 25, 2015 that was submitted by the center states, "Children already enrolled, records have been reviewed and filed accurately at their location. New enrolling students will be enrolled and their information will be filed at their location immediately. Director/clerical staff will monitor all new enrolled students to assure that all information is filled accurately and placed at the correct site to maintain compliance".

Investigative findings determined that the center failed to assure the health, safety and comfort of children in care, in violation of 922 KAR 2:110, section 4(1)(l), and failed to comply with an approved corrective action plan , in violation of 922 KAR 2:090, Section 11(9).

KRS 199.896(4) states that if the Cabinet has probable cause to believe that an immediate threat to public health, safety, or welfare exists, the Cabinet may take emergency action pursuant to KRS 13B.125. As a result of these findings, the Division has determined that there is probable cause to believe an immediate threat exists regarding the health, safety, and welfare of children in the care of the licensed child care center. **Therefore, you are hereby notified that the license to operate the child care center is IMMEDIATELY SUSPENDED pursuant to 922 KAR 2:090, Section 11(5); KRS 199.896(4); and, KRS 13B.125(2).**

Emergency Suspension of child Care License
Page Three

You are directed to cease operating the center IMMEDIATELY, and to ensure that each child is safely returned to his/her parent or authorized guardian. You are also required to surrender license L359327 upon receipt of this letter. This emergency suspension shall

remain in full force and effect pending completion of the investigation by the Division of Regulated Child Care. For further information and guidance concerning this matter, you may contact the Division of Regulated Child Care at 502 564-7962.

If you wish to appeal this emergency suspension, you must file a written request for a hearing pursuant to 922 KAR 2:090, Section 13. If an IDR is requested, the request for an appeal hearing will be held in abeyance pending the conclusion of the IDR process. The request for appeal must be received by the Secretary of the Cabinet for Health and Family Services within twenty (20) calendar days of receipt of this letter and mailed to the:

Division of Regulated Child Care
Cabinet for Health and Family Services
Office of Inspector General
275 East Main Street, 5E-F
Frankfort, Kentucky 40621
Attn: DRCC Appeal Request

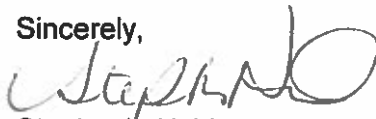
You may also submit a copy of the completed appeal request, form OIG-DRCC-02, via facsimile to the Division of Regulated Child Care at (502) 564-9350.

In accordance with 922 KAR 2:090, Section 11, a child care-center required to comply with an emergency order may submit a written request for an emergency hearing within five (5) calendar days of receipt of the order to determine the propriety of the licensure's suspension.

Failure to file a timely written request for a hearing will bar your appeal. The Cabinet for Health and Family Services is required to provide a hearing within ten (10) working days of the request in accordance with KRS 13B.125(3) and will issue a decision within five (5) working days of completion of the hearing.

A copy of the appeal request form is enclosed for your convenience.

Sincerely,



Stephanie Hold
Acting Inspector General

SH/amc

Enclosure

**Emergency Suspension of child Care License
Page Four**

Delivered by Personal Service

**cc: Justin D. Clark, General Counsel, CHFS
Ideisha L. Bellamy, Director, Division of Regulated Child Care
Dave Meachum, Assistant Director, Division of Regulated Child Care
Theresa Harvey, Northern Enforcement Branch, Division of Regulated Child Care
Kas Deddens, Northern Enforcement Branch, Division of Regulated Child Care
Katie L. Ingle, Branch Manager, Division of Regulated Child Care
Ann-Marie McCord, Adverse Action & Compliance Coordinator Programs, DRCC
Melanie Meyer, Adverse Action & Compliance Coordinator Programs, DRCC
Mary Beth Jackson, Director, Division of Child Care, DCBS
Brittany Barber, Division of Child Care, DCBS
Debra Adams, Division of Child Care, DCBS
Mary Arthur-Quincy, Division of Child Care, DCBS
Phillip Smith, Division of Child Care, DCBS
Kelia Benningfield, Nutrition and Health Services, Department of Education**