



MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION  
OFFICE OF CHILDHOOD - CHILD CARE COMPLIANCE

COMPLAINT INVESTIGATION OF  
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT

8/6/2021

DVN

001734190

FACILITY NAME

PROMISE LAND PRESCHOOL

FACILITY ADDRESS

5409 BAUMGARTNER RD

CITY

ST LOUIS

ZIP CODE

63129-2831

PHONE NUMBER

(314) 714-2090

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

WILMESHER, LAURA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-300.050 (10)(A)

All medication shall be given to a child only with the dated, written permission of a parent, stating the length of time the medication may be given.

5 CSR 25-300.050 (10)(G)

The date and time(s) of administration, the name of the individual giving the medication and the quantity of medication given shall be recorded promptly after administration. This form shall be filed in the child's record after the medication is no longer necessary.

5 CSR 25-300.050 (11)

In case of an accident or injury to a child, the provider shall notify a parent immediately. If a child requires emergency medical care, a parent's prior written instructions shall be followed. A form shall be completed indicating the circumstances and the date and time of the injury. The form shall be signed by the caregiver and his/her supervisor. A copy of the form shall be given to the parent the day of the accident or injury and necessary explanations shall be given. The form shall be filed in the child's record.

CONCLUSION SUMMARY

Compliance Inspector (CI) Laura Wilmesher conducted an investigation regarding the allegation that Ms. Kim used medicinal creams on Child A, 13-months-old, without parental knowledge or consent. The allegation is substantiated. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

On August 10, 2021, CI Wilmesher received a copy of an incident report for Child A. The incident report was dated May 21, 2021, which stated Child A was scratched by another child on her left cheek. The report stated the action taken was to clean the area with soap and water and "applied Aquaphor to spot." The staff member responsible for the child at the time of the incident was listed as Kim Wagner. Kim Wagner also signed the report.

On August 10, 2021, CI Wilmesher conducted an interview with director, Karen Fuchs, and caregiver Kim Wagner. Ms. Karen confirmed that Ms. Kim did admit to putting Aquaphor on the scratch on Child A after the fact.

Ms. Kim stated she couldn't remember whether or not Child A had permission to use Aquaphor on a scratch or if Parent A brought Aquaphor to the facility for Child A to use. Ms. Kim stated they didn't start using the medication forms for diaper creams or Aquaphor until after Child A disenrolled from the facility.

On September 14, 2021, CI Wilmesher interviewed Parent A who stated she did not sign any medication forms for Child A, and she never supplied the facility with Aquaphor.

CORRECTIVE MEASURES

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The facility shall notify all staff members of the violations which were substantiated, and specify the actions to be taken by all staff in order to comply with all violations cited. A copy of the memo, letter, or staff meeting agenda(s) shall be submitted to the Office of Childhood.

COMPLETED (Y/N)

Yes

COMPLETED DATE

12/27/2021

**DISPOSITION**

SUBSTANTIATED

**DISPOSITION DATE**

12/7/2021

**APPROVING SUPERVISOR**

CHRISCO, MARLA