



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

**COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS**

DATE OF REPORT

10/24/2022

DVN

002600475

FACILITY NAME

TTLIC - ES, LLC

FACILITY ADDRESS

1452 KEARNEY RD

CITY

EXCELSIOR SPRINGS

ZIP CODE

64024-1746

PHONE NUMBER

(816) 637-9525

COUNTY

CLAY

ASSIGNED SPECIALIST

MERTZ, CAYLIN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.132(6)

A child who has a special physical, developmental, or behavioral need shall have on file an individualized plan for specialized care from a professionally qualified source.

5 CSR 25-500.122(2)(A)

The provider, within thirty (30) days following the admission of each infant, toddler or preschool child, shall require a medical examination report signed by a licensed physician or registered nurse who is under the supervision of a licensed physician and completed not more than twelve (12) months prior to admission. The provider may use the department's medical assessment form or the provider may use its own form if it contains all the information on the department's form. The Child Medical Examination Report (Infant/Toddler/Pre-School) form, revised 2021, is incorporated by reference in this rule, as published by the Missouri Department of Elementary and Secondary Education, PO Box 480, Jefferson City, MO 65102-0480 and available by the department at <https://dese.mo.gov/childhood/forms>. This rule does not incorporate any subsequent amendments or additions.

5 CSR 25-500.202(1)(D)

Snacks of fruit juice, raw fruit or vegetable, milk, crackers, cheese, peanut butter or similar nutritious food shall be served.

5 CSR 25-500.202(1)(E)

One (1) serving of fluid milk shall be served with each meal.

5 CSR 25-500.102(1)(E)

Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests, and problems of children in care.

5 CSR 25-500.222(1)

The child care provider shall maintain accurate records to meet administrative requirements and to ensure knowledge of the individual needs of children and their families.

CONCLUSION SUMMARY

On October 24, 2022, the Office of the Childhood received an allegation that the facility program is not following a specialized care plan from a physician/parent. After conducting an investigation, Compliance Inspector (CI) Caylin Mertz and Compliance Inspection Supervisor (CIS) Tony Nurnberg have found this allegation to be substantiated based on the following evidence and rule violation:

5 CSR 25-500.132(6) which states 'A child who has a special physical, developmental, or behavioral need shall have on file an individualized plan for specialized care from a professionally qualified source.'

On October 24, 2022 caregiver J.H. stated they do have a child that is lactose intolerant. She denied that he has a specialized care plan. Director D.S. did provide a child enrollment forms for Child A and Child B indicating that both children were lactose intolerant. Child A is also allergic to peaches. Director D.S. did not have on file an individualized plan for specialized care form, from a professionally qualified source or a doctor on file for Child A or Child B. Director D.S. stated that Child A and Child B both receive goat's milk and Child A is not served peaches.

5 CSR 500.202(1)(D): which states: Snacks of fruit juice, raw fruit or vegetable, milk, crackers, cheese, peanut butter or similar nutritious food shall be served.

AND

5 CSR 500.202(1)(E) which states: One (1) serving of fluid milk shall be served with each meal.

On October 24, 2022 caregiver J.H. stated they do have a child that is lactose intolerant. She denied that he has a specialized care plan. Director D.S. did provide a child enrollment form for Child B indicating that he is lactose intolerant. Director D.S. stated Child B receives goat's milk.

5 CSR 25-500.222(1) which states: The child care provider shall maintain accurate records to meet administrative requirements and to ensure knowledge of the individual needs of children and their families.

On October 25, 2022, Director D.S. stated that Child A's enrollment form was incorrect as the child is no longer lactose intolerant and given milk even though Child A's enrollment form states that she is lactose intolerant.

5 CSR 25-500.222(2)(A) which states: The provider, within thirty (30) days following the admission of each infant, toddler or preschool child, shall require a medical examination report signed by a licensed physician or registered nurse who is under the supervision of a licensed physician and completed not more than twelve (12) months prior to admission. The provider may use the department's medical assessment form or the provider may use its own form if it contains all the information on the department's form. The Child Medical Examination Report (Infant/Toddler/Pre-School) form, revised 2021, is incorporated by reference in this rule, as published by the Missouri Department of Elementary and Secondary Education, PO Box 480, Jefferson City, MO 65102-0480 and available by the department at <https://dese.mo.gov/childhood/forms>. This rule does not incorporate any subsequent amendments or additions.

Director D.S. stated that she did not have a medical examination form on file for Child A.

5 CSR 25-500.102(1) (E) which states: ?Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests, and problems of children in care.?

Director D.S. stated she was unaware that Child A was lactose intolerant despite it being on her enrollment form . Director D.S. reported her staff have continued to give Child A milk products .

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall review all children's records to ensure all department required forms are on file and accurately completed. A written statement to indicate that this task was completed shall be provided to the Office of Childhood .	Yes	11/11/2022

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall review all children's records and ensure than any child with special physical, behavioral, or developmental needs has a specialized care plan on file. A signed statement that this task has been completed and all children's records are in compliance shall be submitted to the Office of Childhood .	Yes	11/11/2022

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall develop a plan to ensure that all new employees (paid employees and unpaid/paid volunteers) are fully trained, prior to caring for children, on the facility's procedures as they pertain to children with allergies. A copy of the plan shall be submitted to the Office of Childhood .	Yes	11/11/2022

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	11/11/2022

APPROVING SUPERVISOR
NURNBERG, TONY A