



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
6/2/2022

DVN
002217649

FACILITY NAME

ALMOST ANGELS CHILD CARE, LLC

FACILITY ADDRESS

1895 N KANSAS AVE

CITY

SPRINGFIELD

ZIP CODE

65803-1819

PHONE NUMBER

(417) 865-2222

COUNTY

GREENE

ASSIGNED SPECIALIST

RADNEY, HEATHER E

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(1)(C)7.

Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited.

5 CSR 25-500.182(1)(C)8.

No discipline technique which is humiliating, threatening, or frightening to children shall be used. Children shall not be shamed, ridiculed, or spoken to harshly, abusively, or with profanity.

5 CSR 25-500.122(1)(A)

All persons working in a child care facility in any capacity during child care hours, including volunteers counted in staff/child ratios, shall be in good physical and emotional health with no physical or mental conditions which would interfere with child care responsibilities. These persons shall have a medical examination report, signed by a licensed physician or registered nurse who is under the supervision of a licensed physician, on file at the facility at the time of initial licensure or within thirty (30) days following employment.

5 CSR 25-500.122(1)(B)

Medical examination reports shall include either a Tuberculosis (TB) Risk Assessment form, completed and signed by a health care professional, or a negative tuberculin skin test (TST) completed not more than twelve (12) months before beginning work in the facility. The Tuberculosis (TB) Risk Assessment form, revised March 2014, is incorporated by reference in this rule, as published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102 and available by the Missouri Department of Health and Senior Services at <https://health.mo.gov/living/healthcondiseases/communicable/tuberculosis/tbmanual/pdf/RiskAssessmentform.pdf>. If the person has signs or symptoms of tuberculosis, or risk factors for tuberculosis, then testing for tuberculosis shall occur.

5 CSR 25-500.102(1)(K)

The child care provider shall ensure that within seven (7) days of employment or volunteering and before being left alone with children that caregivers receive a facility orientation. The facility orientation shall include:

CONCLUSION SUMMARY

Compliance Inspector (CI) Mariah Bloom and CI Heather Radney conducted an investigation of the allegations that caregivers hit children and there is inaccurate employee information including medical and TB forms. The allegations are substantiated based on the following:

5 CSR 25-500.182(1)(C)7 which states "Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited."

5 CSR 25-500.182(1)(C)8. which states "No discipline technique which is humiliating, threatening, or frightening to children shall be used. Children shall not be shamed, ridiculed, or spoken to harshly, abusively, or with profanity."

5 CSR 25-500.122(1)(A) which states "All persons working in a child care facility in any capacity during child care hours, including volunteers counted in staff/child ratios, shall be in good physical and emotional health with no physical or mental conditions which would interfere with child care responsibilities. These persons shall have a medical examination report, signed by a licensed physician or registered nurse who is under the supervision of a licensed physician, on file at the facility at the time of initial licensure or within thirty (30) days following employment."

5 CSR 25-500.122(1)(B) which states "Medical examination reports shall include either a Tuberculosis (TB) Risk Assessment form, completed and signed by a health care professional, or a negative tuberculin skin test (TST) completed not more than twelve (12) months before beginning work in the facility. The Tuberculosis (TB) Risk Assessment form, revised March 2014, is incorporated by reference in this rule, as published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102 and available by the Missouri Department of Health and Senior Services at <https://health.mo.gov/living/healthcondiseases/communicable/tuberculosis/tbmanual/pdf/RiskAssessmentform.pdf>. If the person has signs or symptoms of tuberculosis, or risk factors for tuberculosis, then testing for tuberculosis shall occur."

5 CSR 25-500.102(1)(K) which states "The child care provider shall ensure that within seven (7) days of employment or volunteering and before being left alone with children that caregivers receive a facility orientation..."

On June 2, 2022, Caregiver, Mernurvia "Jackie" Johnson came to the Office of Childhood in regard to concerns that the owner Donna Manly was hitting children and falsifying documents. During the interview Ms. Johnson admitted to hitting Child A (3-years-old) because he hit her. She stated that she wasn't trained to know how to discipline kids so she treats them like she treats her own.

On June 2, 2022, LLC Member/Director Donna Manly, denied hitting children herself but stated that Ms. Johnson spanked Child A (3-years-old).

On March 31, 2023, CI Radney conducted interviews with LLC Member/Director, Donna Manley, and Caregivers, Tyra Williams, Kortney Kimberling, have observed Shyanne Davis to yell and curse at children. Ms. Williams reported the children would freeze and begin to cry when Ms. Davis would yell at them and she would comfort them. Ms. Kimberling reported the children were as young as three months old that Ms. Davis and Ms. Williams would yell and curse at. Ms. Kimberling reported hearing them yell random things like "Shut up!" "Stop Crying!" "This is fucking ridiculous!" Ms. Williams denied that she yelled or cursed at children.

On March 31, 2023, CI Radney observed and documented that Caregivers, Shelly Adkins, Tyra Williams and Shyanne Davis did not have documentation on file of a facility orientation being completed. All caregivers were hired on or after August 31, 2019.

On March 31, 2023, CI Radney observed and documented that Caregivers, Shelly Adkins and Kortney Kimberling did not have documentation on file that a medical examination report was completed. CI Radney observed and documented that Caregiver, Kortney Kimberling did not have a Tuberculosis (TB) Risk Assessment form or a negative tuberculin skin test on file.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
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 licensing violations cited. A copy of the memo, letter, or staff meeting agenda shall be submitted to the Office of Childhood.	Yes	5/5/2023
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall review all employee records (paid employees and unpaid/paid volunteers) and ensure that within seven days of hire date and before caring for children, all staff members and volunteers have completed a new employee orientation. A signed statement that this has been completed shall be submitted to the Office of Childhood.	Yes	5/5/2023
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall review all employee/volunteer records to ensure that staff members/volunteers who have been employed more than 30 days have a signed medical examination report which meets licensing requirements. A signed statement of completion of this task shall be submitted to the Office of Childhood, confirming that all employee/volunteer records have a qualifying medical exam report.	Yes	5/5/2023

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

4/5/2023

APPROVING SUPERVISOR

BRUCE, CHRISTINA