



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
7/20/2023

DVN
002948734

FACILITY NAME

BAILEY'S LEARN AND PLAY L.L.C.

FACILITY ADDRESS

2253 OLD LOOSE CREEK HWY

CITY

LOOSE CREEK

ZIP CODE

65054

PHONE NUMBER

(573) 897-0583

COUNTY

OSAGE

ASSIGNED SPECIALIST

HONEA, MICHELLE J

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.192(5)(A)

In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions.

5 CSR 25-500.192(5)(B)

Information regarding the date and circumstance of any accident or injury shall be noted in the child's record.

CONCLUSION SUMMARY

On July 20, 2023, the Office of Childhood (OOC) received an allegation that: Last week a child was not using her arm. The parent was notified but received conflicting stories that it occurred either after the child fell from climbing on the cots or from the child throwing herself on the ground while a teacher was walking her to the corner of the room. After conducting an investigation, Compliance Inspector (CI) Michelle Honea has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.192(5)(B), which states: "Information regarding the date and circumstance of any accident or injury shall be noted in the child's record."

AND

5 CRS 25-500.192(5)(A), which states: "In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions."

On August 01, 2023, CI Honea conducted an unannounced inspection at the facility and interviewed Laura Bailey, caregiver Elizabeth Jarvis, caregiver Jessie Kirsch, and director Ginny Abrams. Ginny Abrams stated that Child A is a fall risk. The approximate time that Child A was injured was at 2:40 pm. She mistakenly wrote the wrong time on the incident report. Child A walked across the room and tripped over a toy and fell bracing her fall with her arm causing the nurse maid elbow. There was another incident later with Child A climbing on cots and fell. She did not know about Child A throwing herself on the floor while Carley was taking her to timeout. She called Parent A around 4:00PM on her way home and informed her of the injury. CI Honea asked why the explanations did not match and Ginny just shrugged her shoulders without an answer. CI Honea asked Ginny why Parent A was not notified immediately, and Ginny stated that she did not think about it at the time. Caregiver Carley Fechtel stated that she took Child A down off the cots she was climbing on and took Child A by the hand and was walking Child A to time out when Child A jerked her hand from Carley's and threw herself on the floor causing her to injure her arm. Parent A was notified by phone at 4:00 PM by Ms. Ginny. She never saw Child A trip and fall bracing herself with her arm and doesn't know why Ms. Ginny told Parent A that or wrote that on the incident report.

CI Honea reviewed the incident report which shows the time of the incident to be at 1:40 PM during nap time, when in fact the incident happened at 2:40 PM after nap time according to staff. CI Honea reviewed the description of the incident report which describes Child A walking to get a toy and tripped over their own feet while using her arm to brace the fall. The incident report does not match the explanation that caregiver Carley Fechtel stated where she took Child A down off the cots she was climbing on and took Child A by the hand and was walking Child A to time out when Child A jerked her hand from Carley's and threw herself on the floor causing her to injure her arm. Parent A was notified by phone at 4:00 PM by Ms. Ginny according to the accident report.

On August 2, 2023, CI Honea conducted a phone interview with Parent A. Parent A stated that she received a call from director

Ginny Abrams saying that Child A fell and was favoring her right arm at around 3:30 PM. She was worried that Child A's arm might be broken but it wasn't. The next day she talked to Carley and was told a different story. She was told that the incident happened around 2:40 PM and Carley said she was not sure exactly how Child A injured herself but thought that it happened when she was holding her hand and she jerked it away and threw herself on the floor. Ginny told Parent A that Carley was not even at the facility when it happened. She received two different statements from Ginny and from Carley.

CORRECTIVE MEASURES

CORRECTIVE MEASURE

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 shall be submitted to the Office of Childhood.

COMPLETED (Y/N)

Yes

COMPLETED DATE

10/31/2023

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

10/3/2023

APPROVING SUPERVISOR

CHRISCO, MARLA L