

COMPLIANCE / COMPLAINT REVIEW

Nebraska Department of Health and Human Services
 Division of Public Health
 Licensure Unit
 PO Box 94986
 Lincoln, NE 68509

Department of Health & Human Services

**TO BE COMPLETED BY CHILD CARE RESOURCE SPECIALIST**

Complaint #: 37580	Licensee WILLARD BABIES LLC FII10025	Time of Visit 11:45 a.m.
Facility Name and Physical Address WILLARD BABIES 1941 EUCLID ST Ashland NE 68003	Telephone 402 610 0401	Date of Visit 1/30/2024
Child Care Inspection Specialist/Telephone Number Teresa Neal - 402-429-9914	Purpose of Visit Complaint Inspection	Type of Facility Provisional Family Child Care Home II

REGULATIONS ALLEGED TO HAVE BEEN VIOLATED

391 NAC2-006.01 Licensee Qualifications and Requirements 391 NAC 2-008 License Capacity and Staff-to-Child Ratio 391 NAC 2-006.08A Licensed capacity 391 NAC 2-006.08B Staff to child ratio 391 NAC 2-006.19 Transportation:	Staff-to-Child Ratio The appropriate staff-to-child ratio must be met at all times. Licensed Capacity The number of children in care at any one time must not exceed the licensed capacity. Licensed Capacity and Staff-to-Child Ratio Licensee Qualifications and Requirements The Family Child Care Home II licensee must: 5. Read, understand, and be familiar with these regulations; 7. Be in compliance with all regulations whenever any children are in care; 16. Not engage in or have a history of behavior injurious to or which may endanger the health or morals of children; and Transportation When transportation is provided for children in care, the licensee must ensure the following conditions are met: 7. All children transported must be properly secured in an appropriate restraint system as required by Neb Rev Stat 60-6,267 and 60-6,268. 8. All car seats must be federally approved and must be the correct type for the child's age and developmental level. 9. Written permission from parents for the program to transport children must be obtained, kept on file, and made available to the Department.
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INVESTIGATOR COMMENTS / OBSERVATIONS

Substantiated: Allegations found to be true
 Unable to Substantiate: Unable to determine allegations to be true or false
 No Non-Compliance: Allegations found to be false

NARRATIVE: Narrative must include observation, discussion, action needed and date corrections are to be made by.	Findings
Allegations: Allegedly the provider is transporting children to and from preschool without car seats and cuts corners with safety of children. Allegedly there is video regarding the transportation of children without car seats. Allegedly the provider is alone with 10 to 18 children at naptime and during the summer takes more children in care with extra staff. Observations and Findings: CCIS Neal conducted an unannounced complaint inspection on 1/30/24 at 11:45 a.m. and met with the provider about the allegations. 391 NAC2-006.01 Licensee Qualifications and Requirements: 5. Read, understand, and be familiar with the regulations. 7. Be in compliance with all regulations whenever any children are in care. 16. Not engage in or have a history of behavior injurious to or which may endanger the health or morals of children. 391 NAC 2-006.08 License Capacity and Staff-to-Child Ratio 391 NAC 2-006.08A Licensed capacity: The number of children in care at any one time must not exceed the licensed capacity. At the time of the inspection the provider and a secondary staff were present with 13 children. The provider stated there was an overlap of children from preschoolers arriving to when the other child is picked up by the public school bus. CCIS Neal informed the provider she can not overlap and her capacity is limited to 12	Substantiated 2-006.01, 2-006.08, 2-006.08A, 2-006.08B, 2-006.19 2-006.08 A and 2-006.08B were corrected at the inspection.

children at one time and that increasing the number of staff present does not allow her to increase the number of children she is caring for over capacity of 12.

During the inspection one child left for preschool and the provider was back in capacity and staff to child ratio with 12 children in care with 2 staff.

391 NAC 2-006.08B Staff to child ratio: When over capacity the provider is also out of staff to child ratio.

391 NAC 2-006.19 Transportation: When transportation is provided for children in care, the licensee must ensure the following conditions are met: 7. All children transported must be properly secured in an appropriate restraint system as required by Neb Rev Stat 60-6,267 and 60-6,268. 8. All car seats must be federally approved and must be the correct type for the child's age and developmental level. 9. Written permission from parents for the program to transport children must be obtained, kept on file, and made available to the Department.

CCIS Neal interviewed four people about their knowledge of the transportation violations. Person A stated they had personally witnessed the provider pull up to the building, open up the car door and let children ages [REDACTED] and [REDACTED] into the car and immediately shut the door. Person A said the provider did not take time to help the children buckle themselves in. Person A stated there was no sign of any car seats that the children crawled into and does not believe the children could have buckled themselves in.

Person B stated there were no car seats at all in the vehicle and could see in the door of the car when the children were getting into the car. Person B stated once the provider was aware she was being watched, the provider began parking further away from the building when picking up children. Person B stated usually one or two children were transported in a red four door sedan.

Person C stated the provider loaded children very quickly into the car, did not lean down to assist any children, which would indicate the children were not being buckled into the car. Person C stated the windows of the vehicle are tinted but did not observe any car seats being used.

There was no video available from the four persons interviewed during this complaint.

The reporter stated car seats were just purchased after the provider became aware of the complaint.

CCIS Neal observed three high backed booster car seats in the provider's vehicle. The provider stated she had borrowed the car seats from parents. CCIS Neal also observed three newly purchased base only booster seats that were still in boxes. The reporter stated that as of Monday, January 22, 2024 that [REDACTED] was no longer transporting children to preschool at either location and that [REDACTED] would reconsider transporting children if parents needed [REDACTED] in an emergency. The provider did not have documentation of any parent giving her written permission to transport their children. During the inspection CCIS Neal observed a parent arriving to pick up one child for preschool.

The provider stated she transported one child, one time on 1/22/24 without a car seat. The provider stated when this complaint was brought to her attention, she decided she would no longer transport children.

All allegations will be substantiated.

The department decision is pending

Conclusion: Licensing agreement effective 2/29/2024 to 8/29/2024. The licensing agreement was delivered 2/29/2024.

Date Sent 2/23/24

A licensing agreement was signed on February 29, 2024 until August 29, 2024

PROVIDER COMMENTS

A Provider may submit written comments to be attached to this form.

CC-0917A Rev. 11/04