Missouri Department of Health and Senior Services
P.O. Box 570, Jefferson City, MO 65102-0570 Phone: 573-751-6400 FAX: 573-751-6010
RELAY MISSOURI for Hearing and Speech Impaired 1-800-735-2966 VOICE 1-800-735-2466

Margaret T. Donnelly
Director

Jeremiah W. (Jay) Nixon
Governor

September 11, 2012

Bettie Hinthorne
1029 Dutch Mill Dr.
Ballwin, MO 63011

SUBJECT: 000675407

Dear Bettie Hinthorne,

As you are aware, the Section for Child Care Regulation (SCCR) received a complaint alleging rule violation(s) at your facility on July 16, 2012. The allegation(s), the details of the investigation, the substantiated licensing rule violations(s), and correction(s) for compliance with licensing rules are included on the enclosed Substantiated Complaint BCC-50 form.

Substantiated allegations are placed in the facility's public licensing record retained in the SCCR district office. You may reply to this report in writing. If you choose to reply, your response will be filed with the report in the facility's licensing record. We welcome any questions at (314) 877-0210.

Sincerely,

Katie Knight/mas

Katie Knight
Child Care Facility Specialist

Enclosure

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER: Services provided on a nondiscriminatory basis.

MISSOURI DEPARTMENT OF HEALTH & SENIOR SERVICES
SECTION FOR CHILD CARE REGULATION

SUBSTANTIATED COMPLAINT OF STATUTE OR RULE VIOLATIONS

DATE OF REPORT: July 16, 2012 9-12-12

FACILITY TYPE:
- ☒ HOME
- ☐ GROUP HOME / CENTER
- ☐ LICENSE EXEMPT
- ☐ UNLICENSED MORE THAN FOUR

FACILITY NAME:	**FACILITY NUMBER:**
Bettie Hinthorne	000675407

STREET ADDRESS: 1029 Dutch Mill Dr.

CITY:	**ZIP CODE:**	**PHONE:**	**FACILITY COUNTY:**
Ballwin	63011	(636) 527-7588	St. Louis

REPORTER:
- ☒ NAMED
- ☐ WITHHELD BY REQUEST
- ☐ ANONYMOUS

REPORT MADE:
- ☒ IN PERSON
- ☐ PHONE
- ☐ WRITTEN

REPORTER NAME:	**REPORTER PHONE:**
Katie Knight	(314) 877-2849

REPORTER ADDRESS (STREET, CITY, STATE, ZIP CODE): 220 S. Jefferson Ave. St. Louis, MO 63130

RECEIVED BY:	**ASSIGNED TO:**	**SUPERVISOR:**
Katie Knight	Katie Knight	Nancy Scherer

ALLEGATION(S) OF STATUTE/RULE(S) VIOLATION(S) Attach pages as needed.

Reporter made an unannounced inspection to the home on July 13, 2012. Upon arrival Ms. Hinthorne answered the door and remained upstairs throughout the duration of the inspection. CCFS observed one unrelated 11 month old child, Child A, in the basement sleeping unsupervised in the dark. The door which leads downstairs to the basement from the main floor was also closed. Reporter told and showed Ms. Hinthorne the rule stating a caregiver shall remain on the same floor as any children who are napping and gave her the opportunity to correct this on site. She did not correct it on site and remained upstairs. Upon reporter's departure Ms. Hinthorne was still upstairs and the child was still in the basement with the door closed.

SUMMARY OF INVESTIGATION Attach pages as needed.

CCFS Katie Knight: On July 13, 2012 at 1:30 PM I made an unannounced monitoring inspection to the home. Upon arrival Bettie Hinthorne (BH) answered the door and I let her know that I was there to do an unannounced monitoring inspection. BH was very upset that I had come during naptime and concerned I would wake the children. I let her know that inspections/visits can be at varying times and I always try my best to not wake any children who are napping. I then asked BH if she had any children in care and where they were. BH stated she had one (1) related child sleeping on the main floor (which was where we were) and one (1) unrelated eleven (11) month old (Child A) sleeping in the basement. It was later brought to my attention there was an additional related child sleeping in a back bedroom in the basement.

I immediately observed the door going down to the basement was closed and BH stated she closes it so her dogs can't go downstairs. I went over the rule which states a caregiver shall remain on the floor where the children are napping at all times. I also went over the rule which states the door to the room the children are napping cannot be closed. BH said she had never heard of those rules in all the years she has been licensed, that they must be new rules, that she

has always come upstairs and also stated , "You are really strict". I let BH know that I needed to do an inspection of the child care space in the basement and she was very concerned about me going down at all because she didn't want me to wake the children. I opened the basement door and the only light was the light from the upstairs. I let her know I needed some kind of light so I could do my inspection and that there should be enough light for her to see/observe the children when they're napping. When I suggested BH come downstairs with me so she would be on the same level as Child A, BH went into the kitchen, grabbed a flashlight and handed it to me; BH did not accompany me downstairs during my walk-through. While I was downstairs I observed Child A sleeping in a pack-n-play. When I got back upstairs BH had me sit in the living room to enter my inspection report. One (1) related child had been crying from the back upstairs bedroom and BH stated his mother had just dropped him off – BH ended up brining him out to the living room. During my time at the home, Bettie did not check on Child A in the basement; there was no frequent direct contact or constant care and supervision. The door to the basement remained closed for the duration of the inspection; I left the house at 3:00 PM.

On July 17, 2012 Kelly Hawkins and I made an inspection to the home. Kelly had called BH several times to notify her of our inspection but BH never answered. Upon arrival BH answered the front door and was present with two (2) unrelated children, both one (1) year old; also present were two (2) related children. The two (2) unrelated children and one (1) of the related children were sleeping in the basement. The other related child was sleeping upstairs. BH stated she had come up from downstairs to answer the door. The inspection took place downstairs at the request of Kelly Hawkins and me and the basement light was turned on to complete the inspection.

BH stated on July 13, 2012 she had come up from downstairs to answer the door when I arrived. She said she closed the basement door so the dogs would not go down. When going over the allegations BH stated she "thinks it is abuse when children are woken up from their nap".

BH stated the children are never left unsupervised and later says she goes upstairs "sometimes just to get lunch and bring it downstairs". BH said she stores the children's lunch downstairs and sometimes brings her lunch downstairs during naptime and heats it there. BH also pointed to the couch in the basement and said, "I am downstairs – sometimes I take a nap on the couch over there while the children are napping".

BH said on July 13, 2012 her assistant, Nina, was at the home. I then let her know that Nina wasn't there while I was doing my inspection. She then said I was right and that Nina had just started a new job and worked Monday, Wednesday and Friday and was not there on July 13, 2012.

BH stated she has a monitor in the two (2) related child's bedrooms, one (1) upstairs and one (1) in the basement, and one (1) receiver in the kitchen. During my July 13, 2012 inspection the related child who was upstairs was crying from a back bedroom and I did not hear anything coming from the kitchen, just directly from the back bedroom.

I let BH know that I felt uncomfortable with the child being left alone unsupervised in the basement on July 13, 2012. I also told her my main concern is the safety of the children and I follow the rules in the rule book. BH stated I have no concern for people and that I make good people look bad.

DISPOSITION: SUBSTANTIATED List statute number or rule number(s) of substantiated violation(s):

19 CSR 30-61.175 (1)(A)(1) stating: Child care providers shall not leave any child without competent adult supervision.

- *On July 13, 2012 CCFS Katie Knight made an unannounced monitoring inspection to the home. During the entire inspection Bettie Hinthorne remained upstairs while one (1) unrelated eleven (11) month old child was observed sleeping in the basement. Also, on July 17, 2012 Bettie Hinthorne said to Kelly Hawkins and I while pointing to a couch in the basement, "I am downstairs – sometimes I take a nap on the couch over there while the children are napping".*

19 CSR 30-61.175 (1)(A)(3) stating: Caregivers shall provide frequent, direct contact so children are not routinely left unobserved on the premises.

- *On July 13, 2012 during an unannounced monitoring inspection conducted by CCFS Katie Knight, Betting Hinthorne did not check on or provide frequent, direct contact to the one (1) unrelated child in care, an eleven (11) month old, the entire time CCFS Katie Knight was at the home. Bettie Hinthorne remained upstairs on the main floor the whole time. Katie Knight arrived to the home at 1:30 PM and left the home at 3:00 PM.*

19 CSR 30-61.175 (1)(A)(5) stating: Caregivers shall check on the children frequently during napping or sleeping and shall remain in close enough proximity to the children to be able to hear them if they have difficulty during napping or when they awaken.

- *On July 13, 2012 during an unannounced monitoring inspection conducted by CCFS Katie Knight, Bettie Hinthorne was not in close proximity so she could hear the one (1) unrelated child in care as she remained upstairs with the basement door closed.*

19 CSR 30-61.175 (1)(A)(6) stating: If children are napped with no caregiver in the room, the door to the room cannot be closed.

- *On July 13, 2012 during an unannounced monitoring inspection conducted by CCFS Katie Knight, Bettie Hinthorne kept the door to the basement closed while one (1) unrelated child was observed sleeping in the basement unsupervised.*

19 CSR 30-61.175 (1)(A)(7) stating: All children shall nap on the same floor and a caregiver shall remain on the floor where the children are napping at all times.

- *On July 13, 2012 during an unannounced monitoring inspection conducted by CCFS Katie Knight, Bettie Hinthorne remained on the main floor while one (1) unrelated child was observed sleeping in the basement unsupervised. Also, in order for Bettie Hinthorne to answer the front door, she had to leave the basement to go upstairs to the door. Each inspection was conducted while children were in the basement napping.*

19 CSR 30-61.085 (2)(A)(4) stating: Artificial or natural lighting shall supply at least ten (10) foot candles of light throughout each room used for child care.

- *On July 13, 2012 during an unannounced monitoring inspection CCFS Katie Knight observed the basement was very dark and requested a light be turned on to observe the children and the room. Bettie Hinthorne went*

into the kitchen and got a flashlight and handed it to me. No light was ever turned on so she could adequately observe one (1) unrelated child in care that day.

REQUIRED CORRECTIONS AND DEADLINES Attach pages as needed.

The following corrections are required:

1. Bettie Hinthorne is to read the Licensing Rules for Family Child Care Homes paying close attention to the section regarding Child Care Program and submit a statement indicating this has been done. The statement shall be submitted to SCCR no later than September 28, 2012.
2. Bettie Hinthorne must remain on the same floor as the children at all times, including when the children are napping.
3. Unannounced inspections will be made to verify compliance.

Verification of corrections will be filed in the public record as they occur and/or are verified.

DISPOSITION DATE	CHILD CARE SPECIALIST SIGNATURE	DATE	SUPERVISOR SIGNATURE	DATE
9/11/12	Katie Knight/TAS	9/11/12	Nancy Scherer	9/11/12

(LP/IF 8-9-05) DISTRIBUTION: ORIGINAL - PUBLIC FILE COPY- FACILITY BCC-50