Ohio | Department of Job and Family Services

Mike DeWine, Governor
Kimberly Hall, Director

July 2, 2019

Sent via Certified Mail ***7017 1000 0000 8027 5967***

Danielle Townsend
d.b.a. Nana's Home Daycare
1352 Giddings Road Down
Cleveland, Ohio 44103
License Number: 2170014344

and

Danielle Townsend
[redacted]

RE: Notice of Opportunity for a Hearing Regarding the Proposed Revocation of the Type B Home Provider License of Danielle Townsend, d.b.a. Nana's Home Daycare (License Number: 2170014344, 1352 Giddings Road Down, Cleveland, Ohio 44103)

Dear Ms. Townsend:

Pursuant to Ohio Revised Code (ORC) 119.06, 119.07, 5104.03 and 5104.04, this certified letter, return receipt requested, will serve as notice upon you that the Ohio Department of Job and Family Services (hereafter ODJFS or Department) proposes to enter an adjudication order to revoke the Type B Home Provider license of Danielle Townsend, d.b.a. Nana's Home Daycare (hereafter Provider).

Based on the following information obtained by ODJFS, the provider has not been compliant with the following provisions of the Ohio Administrative Code (OAC) governing the licensure of Type B Home providers.

1. **OAC 5101:2-13-08(B)(2)** states that child care staff members of a family child care provider shall meet all training requirements prescribed in rule 5101:2-13-10 of the Administrative Code, including maintaining current certification in infant and child cardiopulmonary resuscitation (CPR).

   VIOLATIONS:

   a. As documented in the 11/09/2018 inspection report, county agency staff determined that substitute child care staff member Sharon did not have current CPR certification on file, as required.
   b. As documented in the 06/03/2019 inspection report, county agency staff determined that substitute child care staff member Sharon did not have current infant and child CPR certification on file, as required.

2. **OAC 5101:2-13-09(D)(4)** states that any individual employed by the family child care provider shall submit to ODJFS the JFS 01175 "Request for a Background Check for Child Care" and create a profile in the Ohio professional development registry (OPR) by January 1, 2018.

   VIOLATION:

   a. As documented in the 06/22/2018 inspection report, county agency staff determined that substitute child care staff member Sharon did not create a profile in the OPR by January 1, 2018.

3. **OAC 5101:2-13-10(B)(1)&(2)** states that the licensed family child care provider shall maintain current certification in first aid and infant and child CPR. The training shall be appropriate for all of the ages of children in care. The licensed family child care provider shall maintain current training in management of communicable disease and child abuse recognition and prevention.

   VIOLATIONS:

   a. As documented in the 11/09/2018 inspection report, county agency staff determined that the provider did not have current certification in infant and child CPR and first aid.
   b. As documented in the 06/03/2019 inspection report, county agency staff determined that the provider did not have current training in management of communicable disease or child abuse overview.

4. **OAC 5101:2-13-11(E)** states that outdoor play equipment shall have a fall zone of protective resilient material on the ground under and around the equipment.

   VIOLATION:

   a. As documented in the 06/03/2019 inspection report, county agency staff determined that the sliding board in the front yard of the provider's home was missing protective fall surface.

5. **OAC 5101:2-13-15(A)(1)&(2)** states that the provider shall have a completed JFS 01234 "Child Enrollment and Health Information" on file for each child in care by the first day of attendance and ensure it is reviewed at least annually by the parent and updated as needed.

   VIOLATIONS:

   a. As documented in the 06/22/2018 inspection report, county agency staff determined that the JFS 01234 was not on file for child record numbers one, two and three.
   b. As documented in the 06/22/2018 inspection report, county agency staff determined that a completed JFS 01234 was not on file for child record number four.
   c. As documented in the 11/09/2018 inspection report, county agency staff determined that a completed JFS 01234 was not on file for child record number four.
   d. As documented in the 11/09/2018 inspection report, county agency staff determined that the JFS 01234 was not reviewed annually for child record number five.
   e. As documented in the 06/03/2019 inspection report, county agency staff determined that a completed JFS 01234 was not on file for child record number eight.
   f. As documented in the 06/03/2019 inspection report, county agency staff determined that a JFS 01234 was not on file for child record numbers nine, ten, eleven, twelve and thirteen.
   g. As documented in the 06/19/2019 complaint inspection, county agency staff determined that a completed JFS 01234 was not on file for child record number fourteen.

6. **OAC 5101:2-13-15(B)(1),(2)&(3)** states that the licensed family child care provider shall secure and have on file verification of a completed medical examination for each child enrolled within thirty days of the child's first day of attendance.

   VIOLATIONS:

   a. As documented in the 06/22/2018 inspection report, county agency staff determined that verification of a medical examination was not on file for child record numbers four, five, six and seven.
   b. As documented in the 11/09/2018 inspection report, county agency staff determined that verification of a completed medical examination was not on file for child record numbers four and five.

c. As documented in the 06/03/2019 inspection report, county agency staff determined that a medical examination was not on file for child record numbers four, nine, ten, eleven and twelve.
d. As documented in the 06/03/2019 inspection report, county agency staff determined that verification of a completed medical examination was not on file for child record number eight.

7. **OAC 5101:2-13-16(G)(1)** states that if there is a serious incident at the provider's residence, the licensed family child care provider shall log in to http://oclqs.force.com by the next business day to report the incident and complete the JFS 01156 "Serious Incident Reporting for Child Care".

VIOLATION:

a. As documented in the 06/19/2019 complaint inspection, county agency staff determined that the provider did not complete a JFS 01156 following a serious incident at the provider's residence.

8. **OAC 5101:2-13-18(A)(2)** states that family child care provider shall not exceed the license capacity at any time when caring for children during the provider's hours of operation.

VIOLATION:

a. As documented in the 06/22/2018 inspection report, county agency staff determined that the provider was caring for eight children at one time.

9. **OAC 5101:2-13-19(A)(1)&(2)** states that no child shall be left unsupervised. Supervision means the provider or child care staff member has knowledge of a child's needs and accountability for their care at all times. Supervision includes awareness of and responsibility for the activity of each child and being near enough to respond and reach children immediately, including responding to the child's basic needs and protecting them from harm. The family child care provider must ensure that all children in care are within sight or hearing of the provider or child care staff member at all times, be able to see or hear children without the use of mechanical devices such as baby monitors, video cameras or walkie talkies. The use of mirrors to view children in another room does not meet the supervision requirements of this rule.

VIOLATION:

a. As documented in the 06/19/2019 complaint inspection, county agency staff determined that a child care staff member did not protect a child in care from harm.

10. **OAC 5101:2-13-20(C)(8)** states that infants shall be placed in their cribs or playpens for sleeping and shall not be allowed to sleep in bassinets or other equipment.

VIOLATIONS:

a. As documented in the 06/22/2018 compliance inspection, county agency staff determined that an infant in care was allowed to sleep in a bouncy chair.
b. As documented in the 06/19/2019 complaint inspection, county agency staff determined that an infant in care was allowed to sleep in a bassinet.

Under ORC chapter 119, you are entitled to a hearing on this matter if the hearing is requested in writing within thirty (30) days of the date of the mailing of this notice. You may appear in person, by your attorney or by such other representative as is permitted to practice before the Department. At the hearing, you may present evidence and examine witnesses appearing for or against you. You may also present your position, arguments or contentions entirely in writing. Copies of sections 119.06 through 119.13 of the ORC and Chapter 5101:6-50 of the OAC governing hearings before the Department are also enclosed with this notice. A request for a hearing must be in writing and directed either by mail to:

Litigation Manager
Office of Legal Services
ATTN: Chapter 119 Proceeding
Ohio Department of Job and Family Services
30 East Broad Street, 31st Floor
Columbus, Ohio 43215-3414

Or by emailing your hearing request to legal_filing2@jfs.ohio.gov

Please be advised that failure to timely request such a hearing will cause ODJFS to enter an adjudication order to revoke the Type B Home Provider license of Danielle Townsend, d.b.a. Nana's Home Daycare.

Sincerely,

K. B. Wente

Kara B. Wente, Deputy Director
Office of Family Assistance

Enclosures: Appendix B to Rule 5101:2-13-08
Appendix D to Rule 5101:2-13-07
Child Record Key
OAC Chapter 5101:6-50
ORC 119.06 – 119.13

NANA'S HOME DAYCARE
Notice Letter Child Record Key

Record No. In Notice Letter	Name of Child	Complaint or Compliance Inspection Date
1	[redacted]	06/22/2018
2		06/22/2018
3		06/22/2018
4		06/22/2018, 06/03/2019 & 11/09/2018
5		06/22/2018 & 11/09/2018
6		06/22/2018
7		06/22/2018
8		06/03/2019
9		06/03/2019
10		06/03/2019
11		06/03/2019
12		06/03/2019

13	[redacted]	06/03/2019
14		06/19/2019

Appendix B to Rule 5101:2-13-08

Substitute Requirements

A substitute shall meet the following requirements prior to caring for children:

1. Be at least eighteen years of age.

2. Provide verification of a high school education, a high school diploma or general educational development (GED) in accordance with the guidelines in appendix A of rule 5101:2-13-07 of the Administrative Code.

3. Meet the eligibility for employment criteria based on the background check requirements pursuant to rule 5101:2-13-09 of the Administrative Code.

4. Provide a medical statement that meets the requirements detailed in appendix B to rule 5101:2-13-02.

5. Provide a safe and healthy environment when children are present.

6. Ensure that any individuals whose behavior or health endangers the health, safety and well-being of children are not present while child care is being provided by the substitute.

Appendix D to rule 5101:2-13-07

Family Child Care Parent Information

The provider is licensed to operate legally by the Ohio Department of Job and Family Services. This license is posted in a noticeable place for review.

A toll-free telephone number is listed on the provider's license and may be used to report a suspected violation of the licensing law or administrative rules. The licensing rules governing child care are available for review at the home.

Any parent of a child enrolled in the home shall be permitted unlimited access to the home during all hours of operation for the purpose of contacting their children, evaluating the care provided or evaluating the premises. Upon entering the premises, the parent, or guardian shall notify the provider of his/her presence.

The provider's hours of availability are posted in a noticeable place in the home for review.

The licensing record, including licensing inspection reports, complaint investigation reports and evaluation forms from the building and fire departments (Type A Homes only), is available for review upon written request from the county agency.

The provider will accept only those placements that suit the provider's abilities and the physical environment of the home, but not discriminate in providing child care services to children upon the basis of handicap, race, color, religion, sex or national origin.

For more information about child care licensing requirements as well as how to apply for child care assistance, Medicaid health screenings and early intervention services for your child, please visit http://jfs.ohio.gov/cdc/families.stm