

**STATE OF KANSAS
DEPARTMENT OF HEALTH AND ENVIRONMENT**

In the Matter of Licensure of
TNT Childcare
708 N. Sumac Rd.
Derby, Kansas 67037

KDHE Case No. 24-H-135

A Group Day Care Home Operated by
Tiffany Michelle Thompson
708 N. Sumac Rd.
Derby, Kansas 67037

Day Care License No. 82662

EMERGENCY ORDER OF SUSPENSION

NOW on this 18th day of January 2024, Janet Stanek, Secretary of the Kansas Department of Health and Environment [Secretary], reviews the file of the group day care home, TNT Childcare, located at 708 N Sumac Rd, Derby, Kansas and operated by Tiffany Michelle Thompson [Licensee].

WHEREUPON, the Secretary finds that:

1. The Kansas Department of Health and Environment [KDHE] issued to Licensee a license to operate a group day care home, effective March 12, 2023.
2. On or about January 17, 2024, a complaint survey was conducted at Licensee's group day care home. During the survey, the following violations of the statutes and regulations governing day care homes were found:
 - a. Licensee failed to grant access to the authorized agent of the Secretary in violation of K.S.A. 65-512. On January 8, 2024, Licensee did not grant access to the authorized agent despite Licensee having children in care on

January 8, 2024. Licensing specialists made two attempts to enter on January 8, 2024.

- b. Waste in a potty chair was disposed of immediately in a flush toilet in violation of K.A.R. 28-4-132(c)(9)(A). There was urine in a potty chair in the bathroom.
- c. The changing area was not waterproof as required by K.A.R. 28-4-132(c)(5). Licensee used a non-waterproof blanket for diapering.
- d. Diapering and toileting procedures were not being followed at the facility in violation of K.A.R. 28-4-132(c)(10). Proper diaper procedures were not followed when Licensee did not place a paper towel under the child's bottom and did not disinfect the surface used for diapering.
- e. Licensee did not have records of current immunizations for two animals as required by K.A.R. 28-4-131(b).
- f. The pet area was not maintained in a sanitary manner as required by K.A.R. 28-4-131(a). Numerous piles of animal feces in various stages of decay were accessible to children in the outdoor play area.
- g. Written permission of the parent, guardian, or legal custodian for emergency medical treatment on forms that meet the requirements of the hospital or clinic where emergency medical care will be given was not on file for four children as required by K.A.R. 28-4-127(b)(1)(A).
- h. Licensee failed to provide all identifying information necessary to complete background checks to KDHE for three individuals before allowing the

individuals to work, regularly volunteer, or reside in the facility in violation of K.A.R. 28-4-125(a)(3).

- i. Signed parental permission for each location to which children go off of the premises on a form supplied by KDHE was unavailable for children in violation of K.A.R. 28-4-124. Per provider statement, three children are taken off the premises and do not have signed permission forms.
- j. A record of immunizations for each child in accordance with the child's age was not on file or current for each child as required by K.A.R. 28-4-117(c). Four children did not have current immunizations on file.
- k. Health assessments completed by a nurse trained to perform health assessments or a licensed physician were not on file for three children in violation of K.A.R. 28-4-117(a)(2).
- l. Sanitary methods of food handling and storage were not followed in violation of K.A.R. 28-4-116(e)(12). There was not a clean area available in the kitchen to prepare food when the kitchen countertops and stove top were covered with dried food. Clean dishes and bottles were air drying on a cloth heavily soiled with a brown liquid and chunks of food.
- m. Tableware was not washed, rinsed and air-dried or placed in a dishwasher after each meal in violation of K.A.R. 28-4-116(e)(11). Dirty dishes from previous meals were observed in the kitchen sink.
- n. Each child's hands were not washed after toileting in violation of K.A.R. 28-4-116(c)(2)(C). Second provider did not wash a child's hands after diapering the child.

- o. Second provider failed to wash their hands after toileting, diapering, assisting a child with toileting or handling bodily fluids in violation of K.A.R. 28-4-116(c)(1)(C).
- p. Surfaces used for napping and sleeping were not kept clean, of safe construction or maintained in good repair in violation of K.A.R. 28-4-116a(c)(2). A hole was observed in the side mesh of the playpen.
- q. Infants were not napped in a crib or playpen in violation of K.A.R. 24-4-116a(b)(5)(F). Two infants were napped on cots on the floor.
- r. Each child in care was not taken outdoors daily when not prohibited by the child's medical condition or extreme weather conditions in violation of K.A.R. 28-4-116(a)(7). Provider admitted that children had not been taken outdoors in three (3) weeks.
- s. Toys and other items used by the children were not clean, of safe construction and were not in good repair in violation of K.A.R. 28-4-116(a)(6)(A). An infant Exersaucer was not clean nor in good repair. Dirt was visible on the Exersaucer and it was cracked, exposing sharp edges on the plastic. A Bumbo seat was observed on the floor next to dried food on the carpet. A toy was observed tipped over onto dried dog feces on the floor.
- t. The outdoor play equipment was not safely constructed nor in good repair and was not placed in an area free of health, safety and environmental hazards as required by K.A.R. 28-4-115(i)(2). The outdoor play equipment was visibly dirty and not properly assembled, disassembled plastic parts were observed in a pile. Trash and debris, including a wadded-up swimming pool, were

observed piled against the fence. Additionally, a shovel and rake were observed accessible to children and a dirty blanket was laying on the ground.

- u. Dangerous chemicals or household supplies with warning labels to keep out of reach of children and all medications were not in locked storage or stored out of reach of children under 10 years of age as required by K.A.R. 28-4-115(g)(2). An open bottle of Advil was accessible to children by the television upstairs. A bottle of liquid children's Tylenol without a lid was accessible to children on the couch in the playroom.
- v. Household cleaning products and bodily care products bearing warning labels to keep out of the reach of children or containing alcohol were not in locked storage or stored out of the reach of children under six years of age as required by K.A.R. 28-4-115(g)(1). Air freshener spray was accessible to children on the couch.
- w. Each electrical outlet was not covered when not in use as required by K.A.R. 28-4-115(c)(8). Electrical outlets are uncovered and accessible to children throughout the facility.
- x. Kitchen and outdoor trash were not kept in covered containers or tied in plastic bags as required by K.A.R. 28-4-115(c)(6). Trash was observed on the ground in the kitchen and outdoor play area.
- y. The home was not maintained in an uncluttered and clean manner, nor was it free from any evidence of vermin infestation and objects or materials constituting a danger to children in care as required by K.A.R. 28-4-115(c)(5). The facility was not visibly clean and is cluttered. The carpets have dried

food stuck to the floor and the carpet in the basement has debris. The floors in the upstairs have dried pet feces on them. The kitchen stove has dried food on it. All of the rooms in the home are cluttered with used dishes, dirty laundry, and other household items. There are small white beads on the basement floor accessible to children. The kitchen floors are covered in dirt and dust. A dry dirty sponge mop is laying on the kitchen floor.

- z. Stairways were not railed as required by K.A.R. 28-4-115(c)(10). The hand rail on the stairs to the basement is not firmly attached to the wall. The bottom of the rail is not attached to the wall at all.
- aa. The walls of the facility were not in a good condition as required by K.A.R. 28-4-115(c)(1). There are several holes in the walls throughout the home.
- bb. The facility was not constructed, arranged, or maintained to provide for the health and safety of children in care in violation of K.A.R. 28-4-115(c). The facility is not maintained for the health and safety of the children in care when there are car seats, plastic trash bags, soda bottles, laundry and other household items piled on the couch. There is chocolate smeared on toys and the door and dried pet feces is visible on the floor in the basement. There is a strong pet odor in the home. The basement play area has a bowl of chili from a previous meal sitting on top of a small refrigerator, accessible to children.
- cc. Licensee was overcapacity in violation of K.A.R. 28-4-114(h). Provider exceeded the license capacity when there were four children under 18 months (6 months, 6 months, 6 months, and 11 months), and two children 18 months

to 5 years of age present with one provider. Capacity was exceeded by one child under 18 months of age.

3. K.S.A. 65-524 authorizes the Secretary to suspend a license to operate a day care home prior to a hearing when, in the opinion of the Secretary, said suspension is necessary to protect any child in the home from physical or mental abuse, abandonment, or any other substantial threat to health or safety.

4. Due to the facts contained in paragraph 2 the Secretary has determined that immediate suspension of Licensee's license is necessary to protect children in Licensee's care from a substantial threat to their health or safety.

5. Licensee is hereby required, pursuant to K.S.A. 65-506, to notify the parents and guardians of the children in care in writing that the license has been suspended.

WHEREUPON, the Secretary hereby suspends Licensee's license to operate a group day care home, effective immediately, thereby prohibiting Licensee from caring for children. This Emergency Order of Suspension remains in effect until: (1) the facility is cleaned and is in full compliance as verified by KDHE or its agent; (2) all volunteers, employees, and residents of the home have completed comprehensive background checks; and (3) the issuance of an order rescinding this order.

RIGHT TO A HEARING

This Emergency Order of Suspension is issued pursuant to K.S.A. 77-536 of the Kansas Administrative Procedure Act.

Licensee may file a Petition for Judicial Review pursuant to K.S.A. 77-610. **A Petition for Judicial Review shall be filed in Licensee's local district court within 30 days after service of the Emergency Order of Suspension.** Service of the Petition for Judicial Review shall be served on Janet Stanek Secretary, Kansas Department of Health and Environment, Curtis State Office Bldg., Ste. 540, 1000 SW Jackson, Topeka, Kansas 66612.

IT IS SO ORDERED.



Janet Stanek, Secretary
Kansas Department of Health and Environment

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of January 2024 a true and correct copy of the above and foregoing *Emergency Order of Suspension* was deposited in the U.S. Postal Service, first-class, postage prepaid, addressed to:

Attn: Tiffany Michelle Thompson
TNT Childcare
708 N. Sumac Rd.
Derby, Kansas 67037

K Radloff
Staff Member

And on the _____ day of January 2024 a facsimile copy of the above and foregoing *Emergency Order of Suspension* was hand-delivered to:

Attn: Tiffany Michelle Thompson
TNT Childcare
708 N. Sumac Rd.
Derby, Kansas 67037

By _____