

Date Issued	July 24, 2025	Status	Closed
Provider Name	<u>ROBERTS, JODY</u>		
Provider ID	<u>016599624</u>		
Provider Address	<u>907 Ziebach St Lot 728, Belle Fourche, SD 57717, USA</u>		
Provider Contact	<u>JODY ROBERTS</u>		

**The items listed below are those that the provider was not in compliance with at the time of the inspection.**

### Compliance Plan Action #1

**Administrative Rule:**

67:42:17:24

Before a child may be admitted to a registered or licensed day care provider, the provider must require the child's parent or guardian to submit a statement, signed by a licensed physician, physician's assistant, certified nurse practitioner, or community health nurse, or an immunization record from the South Dakota Immunization Information System, showing that the child meets the minimum immunization requirements according to 45 C.F.R. § 98.41(a)(1)(i)(A), in effect on September 30, 2016.

The provider shall ensure that immunizations of all children are current.

For children who begin the series late or are more than one month behind in immunizations, the documentation must show progress toward achieving immunization requirements, as determined by a licensed physician, or other licensed practitioner. A grace period may be approved by the department for a child experiencing homelessness or a child in foster care.

A child is exempt from meeting the minimum age-specific immunization levels if:

- (1) The child's parent or guardian has certification from a licensed physician, or other licensed practitioner, stating that the physical condition of the child is such that an immunization would endanger the child's life or health; or
- (2) The child's parent or guardian has signed a written statement that the child is an adherent to a religious doctrine whose teachings are opposed to such immunizations.

If a child becomes ill while at a day care, the provider must separate the child from other children and notify the child's parents. If any child in the program contracts a communicable disease, the provider must notify the Department of Health. The program provider shall follow the Department of Health's recommendations for addressing a situation involving a communicable disease.

To prevent the spread of an infestation or infectious disease, a program shall provide an individual storage unit or container for each child's personal articles.

**Summary of Non-Compliance Finding:**

Four child records that do not have current immunization records.

**Corrections to be Made:**

Provider will obtain current immunization records for the four child records and submit to the Office of Licensing & Accreditation.

**Corrections Made:**

Provider submitted current immunizations records for the child records.

**Anticipated Completion Date:**

August 01, 2025

**Date Completed:**

July 17, 2025

**Compliance Plan Action #2**

**Administrative Rule:**

67:42:17:42

A provider shall maintain a record for each child that includes:

- (1) The child's name and date of birth;
- (2) The parent or guardian's name and telephone number;
- (3) An emergency contact name and telephone number;
- (4) Parental permission for emergency medical treatment;
- (5) The names of individuals authorized to pick up the child;
- (6) Health information, including any allergies or special needs;
- (7) A current immunization record or, for a school-age program, the name of the child's school;
- (8) Parental permission for medication;
- (9) The child's attendance records;
- (10) The date of the child's enrollment; and
- (11) The date on which the child's enrollment ends.

The provider shall annually review and update each record required under this section, and make the child's record available to the department, upon request.

**Summary of Non-Compliance Finding:**

One child record is missing permission for emergency medical care.

**Corrections to be Made:**

Provider will obtain written emergency medical care permission from parent and submit to the Office of Licensing & Accreditation (OLA).

**Corrections Made:**

Provider obtained written emergency medical care permission from parent and submitted to OLA.

**Anticipated Completion Date:**

August 01, 2025

**Date Completed:**

July 17, 2025

### Compliance Plan Action #3

#### **Administrative Rule:**

67:42:17:18

All providers must obtain annual training in the topic areas identified in 45 C.F.R. § 98.41, in effect on September 30, 2016, or as identified by the department. Training must be documented and relevant to the provider's position as determined by the department. Training may include on-site or online classes. Pediatric cardiopulmonary resuscitation renewal may not be included in annual training.

Each director and provider of center and school-age programs counted in staff-child ratios shall complete ten hours of annual training.

Each provider of family day care counted in staff-child ratios shall complete six hours of annual training.

Orientation training hours qualify as annual training hours for each provider in the year the training was completed.

Every five years, all providers shall complete additional, advanced training in each of the training areas listed in § 67:42:17:17.

#### **Summary of Non-Compliance Finding:**

Provider only had 3.5 hours of the required annual training completed.

#### **Corrections to be Made:**

Provider will need to submit the remaining 2.5 hours to complete the 2024 annual training to the Office of Licensing & Accreditation.

#### **Corrections Made:**

The provider submitted verification of 2.5 hours of training to fulfill the 2024 annual training requirement.

**Anticipated Completion Date:**

August 01, 2025

**Date Completed:**

July 27, 2025

### Compliance Plan Action #4

#### **Administrative Rule:**

67:42:17:33

A provider shall meet the following requirements regarding bathrooms:

- (1) Bathroom facilities must be easily accessible by children and providers;
- (2) Hot water for faucets normally used by children in care may not exceed one hundred twenty degrees Fahrenheit;
- (3) Toilets and hand sinks must be kept clean and in good repair; and
- (4) For child care centers and school-age programs:
  - (a) All bathrooms must have natural or mechanical ventilation;
  - (b) Separate bathrooms must be available for males and females;
  - (c) Ratios for toilet and hand sinks must align with the minimum standards for plumbing and plumbing systems

published by the plumbing commission.

Except in a family day care, hand sinks must be in the same room, or an unobstructed room adjacent to the diaper changing area. A handwashing sink used after diapering and toileting may not be used for food preparation.

**Summary of Non-Compliance Finding:**

Provider's hot water temperature was 136.5 degrees Fahrenheit.

**Corrections to be Made:**

Provider will adjust the hot water temperature to not exceed 120 degrees Fahrenheit.

**Corrections Made:**

The thermostat on the hot water heater was adjusted to ensure the temperature does not exceed 120 degrees Fahrenheit.

**Anticipated Completion Date:**

August 01, 2025

**Date Completed:**

July 22, 2025

**Compliance Plan Action #5**

**Administrative Rule:**

67:42:17:44

All toxic or hazardous substances must be:

- (1) Inaccessible to children;
- (2) Used according to manufacturer's instructions;
- (3) Stored in the original or other labeled container; and
- (4) Disposed of according to manufacturer recommendations.

Bio-contaminants must be handled and disposed of properly.

Soiled diapers must be changed promptly, in a designated area, on a non-porous surface. The diaper changing area must be clean and disinfected with a sanitizing solution approved by the department. Soiled diapers must be kept in a leakproof, nonabsorbent container that is covered with a tight-fitting lid.

**Summary of Non-Compliance Finding:**

The safety latch on the cabinet below the kitchen sink, where cleaning chemicals are stored, was found to be loose.

**Corrections to be Made:**

Provider will tighten the latch or place a new latch/lock on the cabinet door ensuring children do not have access to cleaning chemicals.

**Corrections Made:**

The provider tightened the latch on cabinet ensuring children can not open it or have access to cleaning chemicals.

**Anticipated Completion Date:**  
August 01, 2025

**Date Completed:**  
July 22, 2025

## Compliance Plan Action #6

### **Administrative Rule:**

67:42:17:38

The following must be inaccessible to a child:

- (1) Firearms;
- (2) Pellet guns, BB guns, and cap guns;
- (3) Matches and lighters;
- (4) Tobacco products;
- (5) Choking and strangulation hazards;
- (6) Items capable of being pulled or tipped onto a child;
- (7) A platform measuring more than thirty inches above ground level, unless surrounded by a railing that is at least thirty-six inches tall with no more than five inches between openings; and
- (8) Other hazardous condition as identified by the department.

The department may direct a provider to remove or correct a hazardous condition or circumstance not covered in this chapter, if the department considers the conditions or circumstances to have the potential to cause injury or illness to the children in care.

### **Summary of Non-Compliance Finding:**

A drawer near the main entrance lacked a safety latch or lock and contained a lighter and white-out. Additionally, the hallway closet was not secured and stored a hand saw and various maintenance supplies.

### **Corrections to be Made:**

The provider must install a latch or lock on the drawer near the main entrance or otherwise ensure the hazardous items are inaccessible to children. Additionally, the hallway closet must be secured with a latch or lock, or the hazardous materials inside must be made inaccessible to children.

### **Corrections Made:**

The provider removed the hazardous items from the drawer, ensuring they are inaccessible to children. A latch was installed on the hallway closet, securing the hazardous materials inside.

**Anticipated Completion Date:**  
August 01, 2025

**Date Completed:**  
July 24, 2025

## Compliance Plan Action #7

### **Administrative Rule:**

67:42:17:39

For family day care providers, unused electrical outlets must have an outlet plug cover, have a tamper-resistant cover, or be made inaccessible to a child.

For center and school-age programs, unused electrical outlets must have a self-closing outlet cover or tamper-resistant

cover.

**Summary of Non-Compliance Finding:**

One outlet behind coffee table in living room was missing an outlet plug cover.

**Corrections to be Made:**

Provider will place an outlet plug cover over the exposed outlet in the living room.

**Corrections Made:**

Provider covered the electrical outlet in the living room with an outlet plug cover.

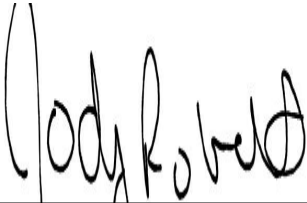
**Anticipated Completion Date:**  
August 01, 2025

**Date Completed:**  
July 22, 2025

**Your signature below certifies you have read and understand the non-compliance findings and agree to make corrections to be compliant with the identified administrative rules.**

Jody Roberts

Printed Name of Provider/Agency Contact



Signature of Provider/Agency Contact

July 24, 2025

Date

**The Department of Social Services, Office of Licensing and Accreditation has reviewed and accepted the above plan.**

Andrea Neff

Printed Name of DSS Staff



7/22/2025, 9:37:35 AM

Signature of DSS Staff:

July 22, 2025

Date