



BRIGHT FROM THE START
Georgia Department of Early Care and Learning
2 Martin Luther King Jr. Drive SE, 754 East Tower
Atlanta, GA 30334
(404) 656-5957

Nathan Deal
GOVERNOR

Bobby Cagle, MSW
COMMISSIONER

March 29, 2013

CERTIFIED MAIL #7012 1010 0000 9736 7947 AND HAND DELIVERY

Ms. Martha Greene
Family Day Care Home
388 Greene Settlement Road
Gray, Georgia 31032

REGULAR MAIL

Ms. Martha Greene
Family Day Care Home
P.O. Box 1474
Gray, Georgia 31032

RE: Notice of Revocation

Dear Ms. Greene,

On February 20, 2013, the Child Care Services Division of Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) concluded its complaint investigation into the December 5, 2012, incident at your family day care home. It was determined that serious rule violations occurred which could seriously affect the health and safety of the children in care and demonstrated the intentional and reckless disregard for the physical and mental health and safety of children in care. Specifically, on December 5, 2012, a four-month-old child sustained a significant brain injury while in care. The rule violations for which Bright from the Start is basing the revocation are marked as Exhibit "A", which shows a flagrant abuse that constitutes shocking intentional misconduct.

Based on your noncompliance with Rules and Regulations for Family Day Care Homes, you are hereby notified that the registration to operate as a family day care home is hereby revoked. Bright from the Start's legal authority for revoking a registration is found in O.C.G.A. Sections 20-1A-12(b)(3) and (5), Sec. 20-1A-12(c)(5), and 20-1A-10(r), and Bright from the Start's Rules for Family Day Care Homes, Chapter 290-2-3 of the Official Compilation of Rules and Regulations of the State of Georgia.

In accordance with O.C.G.A. Section 20-1A-10(o) this revocation becomes effective thirty (30) days from receipt of this Notice. You have the right to appeal the decision to revoke your registration to operate a family day care home by filing a written request for an administrative hearing before an Administrative Law Judge with the Office of State Administrative Hearings. The request must be made in writing within ten (10) days of receipt of this Notice and addressed to:

Ira Sudman
Chief Legal Officer
Bright from the Start
Georgia Department of Early Care and Learning
2 Martin Luther King Jr. Drive SE, 670 East Tower
Atlanta, Georgia 30334

March 28, 2013
Mrs. Martha Greene
Page 2 of 3

A hearing request stays or suspends the revocation.

If you do not appeal this action within ten (10) days of this Notice, the decision to revoke your registration will be final. Revocation of your certificate of registration may impact your participation in the Child and Adult Care Food Program (CACFP) and Child and Parent Services (CAPS) subsidized child care program. Licensure staff will conduct a follow-up visit to verify closure.

Sincerely,



Brenda Haynesworth
Child Care Services Director

cc: Kristie Lewis
Ira Sudman
Elisabetta Kasfir
Mireille Emanuels
Meggan Hemans-Reese
Candy Prince
Tammy Threatt
Sherry Smith
Jennifer Bridgeman
Rachel Fowler
Kimberly Mitchell
State File

List of Rule Violations for:

Ms. Martha Greene
P.O. Box 1474
Gray, Georgia 31032

1. **Rule 290-2-3-.11(3)(a)(3) This rule requires that a provider or a home's employees shall not shake, jerk, pinch or handle roughly a child.**

During an investigation, it was determined that on December 5, 2012, a four-month-old infant sustained a significant brain injury while in the provider's care. Based on medical records, the infant was diagnosed with a significant brain injury and hospitalized for five days.

The failure of the family day care home to comply with discipline rules and regulations placed children at serious risk of harm.

2. **Rule 290-2-3-.11(1)(c) This rule requires that the parent or guardian of any child who becomes ill or is injured while in care shall be notified immediately of any illness or injury requiring professional medical attention.**

During the investigation, it was determined that on December 5, 2012, a four-month-old infant sustained a significant brain injury while in the provider's care. Based on the provider's own admission the infant presented atypical behavior throughout the day including sleeping most of the day, only waking for short periods of time and had multiple bouts of diarrhea. The provider did not notify the infant's parents of the infant's atypical behavior. The provider claims that she carried the infant to the kitchen sink area at approximately 4:50 p.m. to prepare to bathe the infant. The provider laid the infant on his back on the counter top adjacent to the kitchen sink. The provider removed the infant's shirt. When the shirt was pulled off, the infant's head fell back and the base of his head hit the protruding ledge of the sink. The provider did not notify the infant's parent of this incident until approximately two hours after the incident occurred. The child's grandmother arrived at approximately 5:15 p.m., at this time, the infant showed signs of discomfort and unusual behavior. The infant's health continued to decline and the infant's parents took him for professional medical attention. The infant was diagnosed with a significant brain injury. The injury was not consistent with the infant hitting his head on the sink.

The failure of the family day care home to notify parents of atypical behavior and a serious incident placed children at serious risk of harm.

3. **Rule 290-2-3-.11(1)(d) This rule requires that the family day care home shall obtain emergency medical services when required by a child's condition.**

During the investigation, it was determined that on December 5, 2012, a four-month-old infant sustained a significant brain injury while in the provider's care. The provider carried the infant to the kitchen sink area at approximately 4:50 p.m. to prepare to bathe him. When the infant's shirt was pulled off, his head fell back and the base of his head hit the protruding ledge of the sink. The infant showed signs of distress and presented abnormal behavior after the incident. The provider did not seek required emergency medical services after the incident occurred. The infant's grandmother arrived at approximately 5:15 p.m. to pick the infant up. The infant showed signs of discomfort and unusual behavior at pick up. The infant's health continued to decline and the infant's parents took him for professional medical attention. The infant was diagnosed with a significant brain injury and hospitalized for five days. The injury was not consistent with the infant hitting his head on the sink.

Failure of the family day care home to seek emergency medical services following a significant injury placed children at serious risk of harm.