



Department of Health  
Three Capitol Hill  
Providence, RI 02908-5097  
TTY: 711  
[www.health.ri.gov](http://www.health.ri.gov)

May 26, 2016

Certified & Regular Mail

RACHEL A GERVAIS  
APT 11  
580 PONTIAC AVE  
CRANSTON RI 02910

In the Matter of C16-424

Dear RACHEL A GERVAIS:

The Rhode Island Department of Health (hereinafter the "Department") and the Nursing Assistant Advisory Board (hereinafter the "Board") has completed a review of allegations of unprofessional conduct asserted against you. The Department is proposing to resolve the complaint against you with a sanction of a suspension. Enclosed is a Consent Order containing the terms of this proposed resolution. Please read the Consent Order carefully.

If you agree to the Consent Order, please sign it and return the original signed copy to this office no later than June 9, 2016. Upon receipt in this office, the Consent Order will then be signed and entered by the Department and/or Board and will become a final resolution of this complaint. Be advised that until and unless signed by both you and the Department and/or Board, this proposed Consent Order does not constitute a final resolution of the complaint against you.

If you disagree with the proposed Consent Order, be advised that you have a right to an Administrative Hearing. At the hearing you may represent yourself or be represented by an attorney of your own choosing and you may present testimony, witnesses and evidence on your own behalf. If you wish to proceed with a hearing, please submit a written request to this office by June 9, 2016.

You may direct any questions you have in response to this notice to me at (401) 222-7883.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arlene Hartwell".

Arlene Hartwell  
Board Manager  
Office of Health Professional Regulation

Enclosure

State of Rhode Island and Providence Plantations

Department of Health  
Office of Health Professional Regulation

vs.

Complaint No.: C16-424  
Licensee No.: NA49338RACHEL A

GERVAIS

### CONSENT ORDER

Pursuant to 23-17.9 and the Rules and Regulations promulgated there under, the Rhode Island Department of Health (hereinafter the "Department"), and the Nursing Assistant Advisory Board (hereinafter the "Board"), has investigated a complaint charging RACHEL A GERVAIS, NA49338 (hereinafter the "Respondent") with a violation of 23-17.9.

After review and consideration by the Department and the Board with respect to the allegations of unprofessional conduct of the Respondent, the following are and shall constitute

### FINDINGS OF FACT

1. Respondent is a Nursing Assistant licensed to practice in the State of Rhode Island under Nursing Assistant License Number, NA49338.
2. At all times relevant hereto, Respondent was employed by HomeFront Medical Services .
3. That on or about March 19, 2016 Respondent stole jewelry from a client in her care.
4. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct pursuant to 23-17.9 and the Rules and Regulations promulgated there under.
5. That the Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
6. That the Respondent has read this Consent Order and understands this Consent Order shall become binding once signed by the Respondent and the Department and/or Board.
7. That the Respondent understands the purpose of this Consent Order is solely to resolve the complaint of unprofessional conduct alleged against the Respondent.
8. That the Respondent hereby acknowledges and waives:

- a. The right to have an Administrative Hearing on this matter;
- b. The right to represent himself/herself or be represented by an Attorney of Respondent's own choosing at said hearing;
- c. The right to present testimony, evidence and witnesses on Respondent's behalf;
- d. The right to cross-examine witnesses presented by the Department;
- e. The right to further procedural steps except for those specifically contained herein;
- f. The right to take an appeal from the terms of this Consent Order.

ACCORDINGLY AND BASED ON THE FOREGOING

The Rhode Island Department of Health and the Respondent hereby agree to the following disposition of this complaint:

1. That Respondent is hereby issued the sanction of a suspension of her nursing assistant license for three years.
2. That this Order shall become part of a public record of this proceeding.



RACHEL A GERVAIS  
NA49338



Sarah Harrigan, Chief of the Center for  
Professional Boards and Commissions

Date:

5/31/16

Date:

6/17/16