

STATE OF RHODE ISLAND  
DEPARTMENT OF HEALTH



IN THE MATTER OF:  
ERICA MINCEY  
License Number NA 55566  
Complaint No.: C22-0233

**NOTICE OF VIOLATION/COMPLIANCE ORDER**

Erica Mincey ("Respondent"), was licensed as a nursing assistant in Rhode Island on or about March 12, 2021, pursuant to R.I. Gen. Laws § 23-17.9-1 *et seq.* and 216 RICR-40-05-22. This Order is issued pursuant to R.I. Gen. Laws §§ 42-35-14 and 23-1-20.

**FINDINGS OF FACT**

1. Respondent is a Nursing Assistant licensed to practice in Rhode Island under License NA 55566.
2. At all times relevant hereto, Respondent was employed by Senior Helpers as a nursing assistant assigned to the home of A.R.
3. On or about February 18, 2022, RIDOH received a complaint from a representative of Senior Helpers stating that on February 17, 2022, at approximately 3:15 PM, A.R.'s son called Senior Helpers and stated that he found Respondent sleeping in his father's bed with alcohol bottles and "nips" next to her. Senior Helpers called the Warwick Police Department to report the incident and the police arrived at 3:45 PM. The police called the Warwick Fire Department, who arrived at 4:04 PM to transport Respondent to Kent Hospital, arriving at 4:14 PM. A Warwick Police Department report dated February 17, 2022, states that Warwick Police responded to the home and that Respondent "was later transported by Warwick Rescue for detox."
4. Respondent's medical records from Kent Hospital indicate that Respondent had an ethanol level of 303 mg/dL at 4:31 PM. The report indicates that a level of 303 mg/dL is "HI."
5. Respondent's medical records from Kent Hospital list "alcohol intoxication" as the impression and plan."

6. Respondent was provided with alcohol abuse and alcohol intoxication educational materials upon her discharge.
7. On February 17, 2022, Respondent was in violation of R.I. Gen. Laws § 23-17.9-8 and 216 RICR-40-05-22.6 because she engaged in unprofessional conduct as she was asleep and intoxicated when she was in the course of her employment as a nursing assistant.

**ORDER**

1. Respondent's nursing assistant license is **SUSPENDED** until further order of the department. Respondent must cease and desist from working as a nursing assistant.
2. In accordance with R.I. Gen. Laws § 23-1-22, a written request for a hearing may be filed with the Interim Director within 10 days of service of this notice at James V. McDonald, M.D., M.P.H. Interim Director, Rhode Island Department of Health, Three Capitol Hill, Room 401, Providence, RI 02908
3. If a written request for a hearing is not made to the Interim Director within 10 days of the service of this notice, this notice shall become a compliance order by operation of law.

Ordered this 16th day of March, 2022



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James McDonald, MD, MPH  
Interim Director of Health

**CERTIFICATION**

I hereby certify that on the 17th day of March, 2022, this Notice of Violation/Compliance Order was served by regular and certified mail upon:

Erica Mincey  
10 Averdeen Street  
West Warwick, RI 02893

7020 3160 0000 6030 2347

and

Erica Mincey  
460 Pine Street  
Providence, RI 02907



7020 3160 0000 6030 2354