

1 **Title 36 MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY**

2 **Subtitle 03 GAMING PROVISIONS**

3 **Chapter 06 Enforcement of Voluntary Exclusion Program**

4 **Authority: State Government Article, §9-1A-24, Annotated Code of Maryland**

5 **.01 Enforcement.**

6 A. The Commission shall notify each State facility operator of the placement of an individual on
7 the voluntary exclusion list established in COMAR 36.01.03.

8 B. A facility operator may disclose information about an individual on the voluntary exclusion
9 list to:

10 (1) The Commission;

11 (2) The facility's:

12 (a) Manager;

13 (b) Security department;

14 (c) Surveillance department; or

15 (d) Employees who are directly responsible for excluding unauthorized individuals from
16 the facility; and

17 (3) If the facility operator pursues criminal charges against an individual on the voluntary
18 exclusion list who is suspected of trespassing at a video lottery facility, to:

19 (a) A law enforcement officer; or

For May 28, 2020 Commission meeting.

The proposed amendments to Regulation .01 would clarify that, if a casino uses technology to comply with the confidentiality requirements of Regulation .01.B, the casino is responsible for ensuring compliance with all applicable State laws, and for preventing unauthorized access to confidential VEP records. The proposed amendments to Regulation .02 would specifically require a casino that uses this technology include the confidentiality assurance with its annual report to the Commission describing its responsible gaming plan.

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1 (b) A person who is legally authorized to be involved in the criminal prosecution of an
2 individual on the voluntary exclusion list who is suspected of trespassing at a video lottery
3 facility.

4 **C. If a facility operator uses technology for the purpose of complying with § E of this**
5 **regulation, the facility operator shall ensure that the technology:**

6 **(1) Complies with all applicable State requirements; and**

7 **(2) Is designed to prevent unauthorized access to confidential records.**

8 **☺. D.** If an individual on the voluntary exclusion list is found on the premises of a video lottery
9 facility, the operator:

10 (1) Shall immediately notify the Commission; and

11 (2) May pursue criminal charges against the individual for trespassing or any other
12 appropriate criminal charge.

13 **☺. E.** A facility operator may not:

14 (1) Permit an individual on the voluntary exclusion list to:

15 (a) Enter into the video lottery facility; or

16 (b) Play a video lottery terminal or table game;

17 (2) Knowingly fail to exclude from the premises an individual on the voluntary list; or

18 (3) Disclose information about individuals on the voluntary exclusion list beyond the
19 disclosures that are authorized under §B of this regulation.

20 **.02 Responsible Gaming Plan.**

For May 28, 2020 Commission meeting.

The proposed amendments to Regulation .01 would clarify that, if a casino uses technology to comply with the confidentiality requirements of Regulation .01.B, the casino is responsible for ensuring compliance with all applicable State laws, and for preventing unauthorized access to confidential VEP records. The proposed amendments to Regulation .02 would specifically require a casino that uses this technology include the confidentiality assurance with its annual report to the Commission describing its responsible gaming plan.

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1 A. A facility shall establish a responsible gaming plan that sets forth the facility’s plan for
2 addressing problem gambling at the facility that shall include at least the following elements of
3 the plan:

- 4 (1) Goals;
- 5 (2) Procedures and deadlines for implementation;
- 6 (3) Identification of facility personnel responsible for implementation;
- 7 (4) Responsibilities of facility personnel identified as responsible for implementation;
- 8 (5) Training for facility personnel on problem gambling and voluntary exclusion;
- 9 (6) Means of controlling access to records pertaining to voluntary exclusion;
- 10 (7) Means of educating players about:
 - 11 (a) Problem gambling;
 - 12 (b) Problem gambling treatment resources, including treatment and prevention programs
13 established under State Government Article, §9-1A-33, Annotated Code of Maryland; and
 - 14 (c) Voluntary exclusion;
- 15 (8) Placement of responsible gambling awareness materials in the facility as required under
16 Regulation .03 of this chapter;
- 17 (9) Ensuring that an individual in the Voluntary Exclusion Program is not permitted to:
 - 18 (a) Enter the video lottery facility;
 - 19 (b) Play a video lottery terminal or table game; or
 - 20 (c) Claim a jackpot;

For May 28, 2020 Commission meeting.

The proposed amendments to Regulation .01 would clarify that, if a casino uses technology to comply with the confidentiality requirements of Regulation .01.B, the casino is responsible for ensuring compliance with all applicable State laws, and for preventing unauthorized access to confidential VEP records. The proposed amendments to Regulation .02 would specifically require a casino that uses this technology include the confidentiality assurance with its annual report to the Commission describing its responsible gaming plan.

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1 (10) The facility’s response to the discovery of an individual who is enrolled in the voluntary
2 exclusion program on facility property, which may include pursuing criminal charges against
3 the individual; and

4 (11) Any other element required by the Commission.

5 B. A facility operator shall submit to the Commission the responsible gaming plan required
6 under §A of this regulation at least 60 days before video lottery terminal operations are to
7 commence.

8 C. A facility operator shall submit any amendments to a facility’s responsible gaming plan to the
9 Commission prior to implementation.

10 D. A facility operator shall submit to the Commission an annual report describing the facility’s
11 responsible gaming plan, **which shall include a statement regarding compliance with**
12 **Regulation .01.C of this chapter.**

For May 28, 2020 Commission meeting.

The proposed amendments to Regulation .01 would clarify that, if a casino uses technology to comply with the confidentiality requirements of Regulation .01.B, the casino is responsible for ensuring compliance with all applicable State laws, and for preventing unauthorized access to confidential VEP records. The proposed amendments to Regulation .02 would specifically require a casino that uses this technology include the confidentiality assurance with its annual report to the Commission describing its responsible gaming plan.

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