

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

3
4 **Subtitle 01 GENERAL PROVISIONS**

5
6 **Chapter 03 Voluntary Exclusion and Responsible Gaming**

7
8 **Authority: State Government Article, § 9-110; § 9-1A-24(e), Annotated Code of**
9 **Maryland**

10 **.01 General.**

11
12 A. This chapter establishes a mechanism by which an individual may request to be
13 placed on a list of individuals with gambling problems who have been voluntarily
14 excluded from:

- 15
16 (1) Video lottery facilities in the State; or
17
18 (2) Lottery play in the State; or
19
20 (3) Both.

21
22 B. The Commission shall:

- 23
24 (1) Maintain a list of individuals who have requested to be excluded from video
25 lottery facilities and lottery play in the State; and
26
27 (2) Establish measures to reduce and mitigate the effects of problem gambling.

28
29 **.02 Application for Voluntary Exclusion.**

30
31 A. An application for voluntary exclusion shall be available at:

- 32
33 (1) Each licensed video lottery facility upon request of Commission staff; and
34
35 (2) The Agency's offices.

36
37 B. An individual may request to be excluded from a video lottery facility or lottery
38 play in the State by submitting a completed application form to Commission staff.

39
40 C. An application for voluntary exclusion shall include:

- 41
42 (1) The individual's:
43
44 (a) Name, including any nickname or alias;

- 1 (b) Residential address;
- 2
- 3 (c) Telephone numbers;
- 4
- 5 (d) Date of birth;
- 6
- 7 (e) Social Security;
- 8
- 9 (f) Driver's license number and licensing state;
- 10
- 11 (g) Gender;
- 12
- 13 (h) Physical description, including any birthmarks, scars, or tattoos;
- 14
- 15 (i) Race or ethnic origin;
- 16
- 17 (j) For non-United States citizens, country of citizenship, and passport and alien
- 18 registration number;
- 19
- 20 (k) Signature; and
- 21
- 22 (l) Any other information about the individual that the Commission requires.
- 23
- 24 (2) The length of requested period of placement on the voluntary exclusion list, which
- 25 shall be for:
- 26
- 27 (a) Two years; or
- 28
- 29 (b) Life;
- 30
- 31 (3) Information pertaining to the Problem Gambling Fund programs established under
- 32 State Government Article, § 9-1A-33(b)(4), Annotated Code of Maryland; and
- 33
- 34 (4) A signed statement by which the individual declares that the individual:
- 35
- 36 (a) Has a gambling problem and is unable to gamble responsibly;
- 37
- 38 (b) Is sober and informed;
- 39
- 40 (c) Releases the State from any liability that may arise from the application or the
- 41 individual's placement on the voluntary exclusion list;
- 42
- 43 (d) Acknowledges that the Commission is collecting information from the
- 44 individual that the:
- 45

1 (i) Individual may request to inspect or correct under State Government
2 Article, § 10-625, Annotated Code of Maryland; and

3
4 (ii) Commission will maintain as sociological information under State
5 Government Article, § 10-617(c), Annotated Code of Maryland;

6
7 (e) Authorizes the release of information to the persons specified in Regulation .07;

8
9 (f) Acknowledges that the individual will be, for the entire term of the requested
10 period of exclusion:

11
12 (i) Prohibited from entering a video lottery facility or playing table games or a
13 video lottery terminal in the State;

14
15 (ii) Prohibited from playing a lottery game; or

16
17 (iii) Both.

18
19 (g) Acknowledges that if the requested period of placement on the voluntary
20 exclusion list was 2 years, the individual will not be removed from the voluntary
21 exclusion list unless the Commission grants the individual's request for removal under
22 Regulation .05 of this chapter; and

23
24 (h) Otherwise acknowledges that the individual understands the individual's
25 responsibilities and possible consequences associated with being placed on the State's
26 voluntary exclusion list.

27
28 E. Upon receipt of a completed application for voluntary exclusion, trained
29 Commission staff shall:

30
31 (1) Interview the individual in order to ascertain that the individual:

32
33 (a) Is voluntarily applying for exclusion;

34
35 (b) Confirms the information provided in the application; and

36
37 (c) Is fully informed of the consequences of being placed on the voluntary
38 exclusion list.

39
40 (2) Decide whether to grant the request for voluntary exclusion; and

41
42 (3) Deliver to the individual by regular U.S. mail a written notice of:

43
44 (a) Placement on the voluntary exclusion list; or

45
46 (b) Denial of the request for voluntary exclusion.

1
2 **.03 Voluntary Surrender of Lottery Game Playing Privileges.**
3

4 A. An individual who applies to be placed on the voluntary exclusion list may
5 contractually agree to:

6
7 (1) Redeem or liquidate all unredeemed items with monetary value that the
8 individual has received;

9
10 (2) Designate that the proceeds of the redeemed items be contributed to the
11 Problem Gambling Fund established under State Government Article, § 9-1A-33(b),
12 Annotated Code of Maryland; and

13
14 (3) Designate that any lottery prize that the individual is ineligible to collect may
15 go to the Unclaimed Prize Fund.

16 **.04 Voluntary Exclusion List.**
17

18 The Commission shall establish and maintain a list of individuals from whom it has
19 received a completed application for voluntary exclusion.

20 **.05 Removal from Voluntary Exclusion List.**
21

22 A. After an individual has been on the voluntary exclusion list for at least two years,
23 the individual may request that the Commission remove the individual from the list.
24

25 B. An individual's request under §A shall be submitted to the Commission in writing
26 and shall be accompanied by documentation that the individual has:

27
28 (1) Completed:

29
30 (a) A problem gambling assessment with a professional who is licensed by the
31 State to conduct problem gambling assessments or who is otherwise approved by the
32 Commission and fulfilled any recommended treatment;

33
34 (b) A problem gambling treatment and prevention program established under
35 Title 19, Subtitle 8 of the Health – General Article, Annotated Code of Maryland; or
36

37 (c) A healthy decision-making program that is sponsored or approved by the
38 Commission.

39 (2) Executed an authorization and release to be removed from the voluntary
40 exclusion list; and

41
42 (3) Complied with any other requirements deemed necessary by the Commission.
43

1 C. The Commission is not required to hold a hearing in order to review the request for
2 removal.

3
4 D. If the Commission:

5
6 (1) Grants the request, it shall:

7
8 (a) Deliver to the individual by regular U.S. mail a notice of removal from the
9 voluntary exclusion list; and

10
11 (b) Notify the State's facility operators of the individual's removal from the
12 voluntary exclusion list;

13
14 (2) Denies the request, it shall deliver to the individual by regular U.S. mail a notice
15 that the:

16
17 (a) Request was denied; and

18
19 (b) Individual shall remain on the voluntary exclusion list.

20
21 **.06 Access to Voluntary Exclusion List.**

22
23 A. All records pertaining to an individual's placement on the voluntary exclusion list
24 are sociological information under State Government Article, § 10-617(c), Annotated
25 Code of Maryland.

26
27 B. Access to records pertaining to an individual's placement on the voluntary
28 exclusion list shall be limited to disclosures authorized under COMAR 36.01.02.01 and
29 36.03.04.

30
31 **.07 Responsible Gaming Program.**

32
33 A. The Commission may establish a responsible gaming program.

34
35 B. A responsible gaming program established by the Commission under § A of this
36 regulation shall be designed to:

37
38 (1) Reduce or mitigate the effects of problem gambling in the State; and

39
40 (2) Maximize the access of individuals who have a gambling problem to problem
41 gambling resources, including treatment resources that are established under State
42 Government Article, § 9-1A-33, Annotated Code of Maryland.