

NATIONAL COUNCIL OF LEGISLATORS FROM GAMING STATES
COMMITTEE ON RESPONSIBLE GAMING
SCOTTSDALE, ARIZONA
FRIDAY, JANUARY 4, 2008
MINUTES

The Committee on Responsible Gaming of the National Council of Legislators from Gaming States (NCLGS) met at the Hotel Valley Ho in Scottsdale, Arizona, on Friday, January 4, 2008, at 10:45 a.m.

Representative Chris Sainato from Pennsylvania, Chair of the Committee, presided.

Other members of the Committee present were:

- Rep. Kevin Ryan, CT
- Rep. Vincent Lofink, DE
- Rep. Bill Oberle, DE
- Sen. Pete Brungardt, KS

Other legislators present were:

- Rep. H. Mac Gipson, AL
- Rep. Sue Schmitz, AL
- Rep. Helene Keeley, DE
- Rep. Pamela Thornburg, DE
- Rep. Joe Gibbons, FL
- Rep. Arlen Siegfried, KS
- Rep. Joni Jenkins, KY
- Rep. Darryl Owens, KY
- Rep. Ruth Ann Palumbo, KY
- Sen. Richard Lerblance, OK
- Rep. Harold James, PA

Others present were:

- Susan Nolan, Nolan Associates, NCLGS Executive Director
- Nicholas Brozean, Nolan Associates, NCLGS Assistant Legislative Coordinator

MINUTES

The Committee voted unanimously to accept, as submitted, the minutes of its June 8, 2007, meeting in Las Vegas, Nevada.

PROBLEM GAMBLING INITIATIVES IN THE STATES

Tim Christensen, president of the Association of Problem Gambling Service Administrators (APGSA), said 36 states currently provide public funds for problem gambling services. He said this number does not include states that receive their funding from the industry. He said states receiving funds from the industry are not governmental organizations, but are affiliates of the National Council on Problem Gambling (NCPG).

Mr. Christensen said the majority of states that have problem gambling services use a behavioral health agency for program administration, but a few use nongovernmental or gaming regulatory agencies. He said problem gambling services are similar across state borders though funding, authority, and service delivery are unique.

Mr. Christensen said funding for Kansas problem gambling services comes from state casino revenue, and after projections the program appears to have the best funding per capita in the country.

Mr. Christensen said APGSA is looking to address the administrative issues between Pennsylvania's human service agency and its regulatory agency, which both oversee problem gambling. He said the agencies lack appropriate communication to coordinate efforts that would ensure efficiency.

Mr. Christensen said APGSA is in the process of developing youth survey questions to gather data on prevention needs relating to gambling behaviors and problem gambling.

Mr. Christensen said APGSA is working with representatives of NCPG and the Substance Abuse and Mental Health Services Administration (SAMHSA) on the development of a minimum dataset for treatment services. He said states do not have the information or resources to compare problem gambling efforts across jurisdictions.

Mr. Christensen said problem gambling requires effective legislation, such as a broad authorization of services, strategic and long-term planning, appropriate and consistent allocation of funds, and proper agency staff and authority.

Mr. Christensen said when establishing treatment services, most procurement processes for providing health and substance abuse services go through a proposal request and competitive bidding process. He said most problem gambling organizations do not have an effective workforce to compete against other administrations and therefore need an establishment grace period.

Levi Tenbrink of the New Mexico Council on Problem Gambling, said the Council began in 1998 to assist problem gamblers that can least afford treatment. He said the Council provides a DVD to inform employees of gaming facilities about the proper referral of problem gamblers to help-lines or 1-800 numbers within its gaming facility.

SELF-EXCLUSION PRACTICES

Tim Christensen, president of the APGSA, said self-exclusion is a completely independent process by which gamblers prohibit themselves from a gambling facility.

Mr. Christensen said statewide self-exclusion processes exist in Arizona and is possible through the Department of Gaming or through tribal casinos. He said tribal casinos allow gamblers to exclude themselves from certain casinos.

Mr. Christensen said in many instances, individuals on a self-exclusion list must forfeit winnings if they are caught gambling. He said in some jurisdictions, held winnings are given to the problem gambling services fund, whereas in Arizona, tribes have discretion to decide whether to donate or keep the funds.

Mr. Christensen said that almost nationwide, individuals on self-exclusion lists are taken off promotion lists, are limited or prohibited from using facility ATMs, and may face criminal trespassing charges while on a gaming facility.

Mr. Christensen said self-exclusion is predominately a casino initiative, although Global Cash Access (GCA) enables people to exclude themselves from all ATMs or cash machines at casinos worldwide. He said APGSA is working on a method for lotteries to use self-exclusion.

Mr. Christensen said self-exclusion reduces the harms of impulsive gambling and while it does not stop all problem gamblers, it provides some minimization.

Mr. Christensen said self-exclusion lacks enforcement, detection, and prosecution. He said self-exclusion is easily accessible and confidential, but other treatments are necessary for self-exclusion to be effective.

Mr. Christensen said 1,861 individuals are on the self-exclusion list in Arizona. He said males tend to sign up for self-exclusion at a younger age than females. He said gamblers choose whether to place themselves on the list for one, five, or ten years, and that the majority commit to ten years. He said some states use lifetime bans.

Mr. Christensen said the self-exclusion process contains several challenges, including self-initiated entry into the program, support of the practice, employee dedication, span of exclusion, and consistency across states and venues. He said some states are looking at a rescinding process for self-exclusion. He said APGSA is studying self-exclusion renewals.

Mr. Christensen said gaming facilities should check all patrons' IDs for self-exclusion, although this process may be impossible with the way casinos are organized. He said other areas of self-exclusion that need revision include oversight, training, promotion, and incorporation.

In response to a question from Rep. Palumbo, Mr. Christensen said individuals on the self-exclusion that want to renew can go into the Department of Gaming or mail a form, which can be found online, into that office. He noted there are no fees for self-exclusion or renewal and the office does not send renewal warnings to individuals.

PROPOSAL TO STUDY BEST PRACTICES IN RESPONSIBLE GAMING LEGISLATION AND REGULATION

Keith Whyte, executive director of the National Council of Problem Gaming, said a best practice is a technique or methodology that, through experience and research, is proven to reliably lead to a sought result. He said best practices are important in promoting sound public policy, and to maintain efficiency and effectiveness across jurisdictions.

Mr. Whyte said the public perception of problem gambling is far worse than actual statistics.

Mr. Whyte proposed that a joint study between NCLGS and NCPG on responsible gaming best practices would be the first study to query all state legislation and regulation throughout the country. He said many states have inconsistent public policy, which is why it is necessary to collect data from all the legislative and regulatory jurisdictions.

Mr. Whyte said the study would survey existing legislation and regulation to prevent, mitigate harm, and/or provide treatment for problem gambling, as well as literature that addresses the actual or projected efficacy of such legislative efforts.

Mr. Whyte said the study will compile a database of legislative rules and statutes regarding gaming; analyze language from state rules or statutes that directly address problem gambling or responsible gaming; review and analyze literature on policy approaches toward problem gambling prevention; develop a menu of legislative clauses or policy actions to minimize gambling harms; and finally produce a model act for problem gambling policy.

Mr. Whyte said data prior to 1998 would be derived from the Advisory Commission on Intergovernmental Relations (ACIR) National Gambling Impact Study Commission.

Mr. Whyte said partnership with NCPG and other organizations would provide credibility and experience to the study. He said the study would take about a year to complete and provide high-quality, empirical and ground-breaking information essential for every state and tribe participating in gaming.

In response to a question from Rep. Oberle, Mr. Whyte said the cost of the study would total approximately \$75,000, which should be easily attainable with the help of several partners.

In response to a question from Rep. James, Mr. Whyte said players' cards are not meant to treat problem gamblers, but to illustrate problem gambling statistics. He said players' cards are not as effective as problem gambling treatments.

Professor I. Nelson Rose said there is not enough empirical evidence to conclude that players' cards do not hurt gamblers more than they help.

Rep. Oberle said a study on responsible gaming practices would provide value for legislators thinking about entertaining or expanding gaming and would provide functional language for their consideration.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:45 a.m.

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