

SELF-EXCLUSION RULES

WAC 230-19-XXX Purpose

The purpose of this chapter is to establish a centralized, statewide self-exclusion program, administered by the Commission, allowing a person with a gambling problem or gambling disorder to voluntarily exclude themselves from licensed house-banked card rooms and participating tribal gaming facilities.

WAC 230-19-XXX Definitions

The following definitions apply only to this chapter:

- (1) "Licensee" means the house-banked card room licensee.
- (2) "Participant" means a person who has enrolled in the program.
- (3) "Self-Exclusion List" means a list maintained by the Commission of individuals who have requested to be voluntarily excluded from house-banked card room licensees and participating tribal gaming facilities in the State of Washington.
- (4) "Voluntary self-exclusion program" or "program" means the voluntary self-exclusion program authorized under RCW 9.46.071, and does not apply to gambling via horse-racing or lottery.

WAC 230-19-XXX REQUEST FOR SELF-EXCLUSION

(1) Any person may request to be placed on the self-exclusion list voluntarily excluding themselves from house-banked card room licensees by submitting a completed form, which we provide, in person at our office or at a house-banked card room licensee or by mail:

(a) In person at our office or at a house-banked card room licensee by:

- (i) Submitting a completed form, which we provide; and
- (ii) Providing proof of identity. Acceptable forms of identification are: a valid driver's license from any state; a government-issued identification card containing the person's name, photograph, and date of birth; or a valid passport; and
- (iii) Submitting a photograph showing only the head and shoulders; or

(b) Through the mail by:

- (i) Submitting a completed form, which we provide. The form must be notarized; and
- (ii) Providing proof of identity. Acceptable forms of identification are a copy of: a valid driver's license from any state; a government-issued identification card containing the person's name, photograph, and date of birth; or a valid passport; and
- (iii) Submitting a photograph showing only the head and shoulders. Copies of photographs from identification will not be accepted.

(2) The form must be:

- (a) Completed with no areas left blank, and
- (b) Signed under penalty of perjury by the person seeking self-exclusion, and
- (b) Be properly notarized if submitting by mail.

(3) Upon receipt of a completed form, the licensee will forward it to us within 72 hours.

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WAC 230-19-XXX Period of Enrollment

(1) At the time of enrollment, the participant must select the period of self-exclusion:

- (a) One year,
- (b) Five years, or
- (c) Ten years.

(2) The self-exclusion time period selected begins and the participant is considered enrolled:

- (a) Upon receipt of the notarized form by mail or
- (b) The date the completed form was accepted by a licensee or us when submitted in person.

(3) Once enrolled, the participant cannot be removed from the program prior to the selected period of voluntary self-exclusion.

(4) Upon expiration of the selected period of enrollment, the participant will be removed from the program.

WAC 230-19-XXX Voluntary self-exclusion

During the period of enrollment, the participant acknowledges and agrees:

(1) The ultimate responsibility to limit access to all house-banked card rooms within the State remains theirs alone; and

(2) The self-exclusion request is irrevocable during the enrollment period selected and cannot be altered or rescinded for any reason; and

(3) The exclusion is in effect at all house-banked card room licensees in the State of Washington and participating Indian Gaming Facilities, which is subject to change, and all services/amenities associated with these gaming facilities, including but not limited to, restaurants, bars, bowling, check cashing services, cash advances, etc.; and

(4) Player club memberships and accounts will be closed and any points or benefits accrued in the participant's existing loyalty program account, if any, expire based on the established expiry date(s) and no refund or replacement will be provided; and

(5) New player club memberships, direct mail and marketing service complimentary goods and services and other such privileges and benefits will be denied; and

(6) Disclosure of certain information is necessary to implement the participant's request for self-exclusion; and

(7) If found on the premises of a house-banked card room licensee, for any reason other than to carry out their duties of employment at the licensed establishment, they may be charged with criminal trespass; and

(8) All money and things of value, such as gaming chips, obtained by or owed to the participant as a result of prohibited wagers or the purchase of chips and/or participating in authorized gambling activities outlined in this Chapter will be forfeited under RCW 9.46.071; and

(9) To not recover any losses from the purchase of chips and/or participating in authorized gambling activities outlined in this Chapter.

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WAC 230-19-XXX Disclosure of Self-Exclusion Information

- (1) Personal information submitted by a participant under the self-exclusion program is exempt from public disclosure under the Public Records Act and may not be disseminated for any purpose other than the , administration of the self-exclusion program, or as otherwise permitted by law.
- (2) No house-banked card room licensee, employee or agent thereof shall disclose the name of, or any information about any participant who has requested self-exclusion to anyone other than employees and agents of the house-banked card room licensee whose duties and functions require access to such information.
- (3) The house-banked card room licensee may release the names and identifying information of participants on the self-exclusion list to contracted service providers that provide check cashing, cash advances, marketing, automated teller machines or other financial services.
 - (a) The identifying information must be limited to the address, driver's license or state issued identification number, photograph, and physical description; and
 - (b) Only the name and identifying information may be disclosed to contracted service providers. The house-banked card room licensee must neither disclose the reasons for providing the name and identifying information nor disclose that the person is on the self-exclusion list; and
 - (c) The house-banked card room licensee must require by written contract that the contracted service provider implement measures designed to ensure the confidentiality of the names and identifying information and to prohibit the release of the names and identifying information to any other person or entity; and
 - (d) The house-banked card room licensee must immediately report to us all instances of a participant accessing or attempting to access the services provided by the contracted service providers.

WAC 230-19-XXX Licensee's Responsibilities

Each house-banked card room licensee must:

- (1) Make available to all patrons the self-exclusion form developed and provided by us; and
- (2) Accept complete self-exclusion forms, verify the participant's identity as required on the form, and forward the form to us within 72 hours of receipt; and
- (3) Provide the participant with information and resources for problem gambling and gambling disorder treatment; and
- (4) Designate a person or persons to be the contact person with us for purposes of self-exclusion procedures, including receipt and maintenance of the self-exclusion list, submission of the licensee's procedures, and all other communications between us and the licensee for self-exclusion purposes; and
- (5) Upon discovery that a participant has breached their self-exclusion and obtained access to the licensed premises, the licensee must take steps to:
 - (a) Immediately remove the person from the premises,
 - (b) Confiscate all money and things of value, such as gaming chips, obtained by or owed to the participant as a result of prohibited wagers or the purchase of chips and/or participating in authorized gambling activities outlined in this Chapter, and
 - (c) Notify us of the breach within 72 hours; and
- (6) Train all new employees, within 3 days of hiring, and annually re-train all employees who directly interact with gaming patrons in gaming areas. The training must, at a minimum, consist of information concerning the nature of problem gambling, the procedures for requesting self-

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- exclusion, and assisting patrons in obtaining information about problem gambling programs. This section must not be construed to impose a duty upon employees of the licensee to identify problem gamblers or impose a liability for failure to do so; and
- (7) Notify participants who have requested to be excluded from house-banked card room licensees prior to the effective date of this rule of the new statewide program, provide them with the form, and information on how they can participate in the statewide self-exclusion program. This must be accomplished within three business day following the effective date of this rule; and
- (8) Establish procedures and systems for our review and approval, which:
- (a) Utilize player tracking systems and other electronic means, including checking all taxable patron winnings against the self-exclusion list, to assist in determining whether a participant has engaged in any authorized activities outlined in the chapter; and
 - (b) Close player club memberships and accounts for participants. Any points or benefits accrued in the participant's existing loyalty program account, if any will expire based on the established expiry date(s) and no refund or replacement will be provided; and
 - (c) Deny casino credit, check cashing privileges, player club membership, complementary goods and services, and other similar privileges and benefits to any participant; and
 - (d) Ensure participants do not receive targeted mailings, telemarketing promotions, player club materials or other promotional materials relative to gaming activities at house-banked card room licensees; and
 - (e) Verify patrons who win a jackpot prize are not participants of the program before payment of funds; and
 - (f) Ensures participants are not gambling in their establishment; and
 - (g) Ensures the confidentiality of the identity and personal information of participants; and
 - (h) All money and things of value, such as gaming chips, obtained by or owed to the participant as a result of prohibited wagers or the purchase of chips and/or participating in authorized gambling activities outlined in this Chapter are forfeited under RCW 9.46.071, in which the licensee will:
 - (1) Issue a check for the same monetary value within three business days after collecting or refusing to pay any winnings from gambling or chips in the possession of a participant on the self-exclusion list to:
 - (A) The problem gambling account created in RCW 42.05.751, and/or
 - (B) A charitable or nonprofit organization that provides problem gambling services or increases awareness about problem gambling; and
 - (2) Document and retain for one year:
 - (A) Surveillance evidence identifying the date, time, and amount of money or things of value forfeited, the name and identity verification of the participant on the self-exclusion list; and
 - (B) A copy of the canceled check remitting the forfeited funds as required above.

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WAC 230-19-XXX Sharing the self-exclusion list.

We may enter into Tribal-State Compacts with federally recognized Indian tribes or tribal enterprises that own gambling operations or facilities with class III gaming compacts to voluntarily participate in the self-exclusion program. The Tribal-State Compacts may allow for the mutual sharing of self-exclusion lists.

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