

**CHAPTER 501a. COMPULSIVE AND PROBLEM
GAMBLING REQUIREMENTS**

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Authority

The provisions of this Chapter 501a issued under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1203, 1509 and 1516, unless otherwise noted.

Source

The provisions of this Chapter 501a adopted October 26, 2007, effective October 27, 2007, 37 Pa.B. 5744, unless otherwise noted.

§ 501a.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Advertisement—Gaming related marketing materials including a notice or communication by a licensee, certified or registered entity or its agent to the public through signs, billboards, broadcasts, publications, mail, e-mail, text message, tweet or other means of dissemination.

OCPG—The Office of Compulsive and Problem Gambling.

Authority

The provisions of this § 501a.1 amended under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 501a.1 amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057. Immediately preceding text appears at serial page (362157).

§ 501a.2. Compulsive and problem gambling plan.

(a) An applicant for a slot machine license shall submit a compulsive and problem gambling plan for review at the time of submission of the application. The plan must, at a minimum, contain the elements listed in subsection (d).

(b) The compulsive and problem gambling plan of an applicant for a slot machine license that has been approved to receive a slot machine license must be approved by the Director of OCPG. An applicant for a slot machine license who has been approved to receive a slot machine license will be notified in writing of any deficiencies in the plan and may submit revisions to the plan to the Director

of OCPG. A slot machine licensee may not commence operations until the Director of OCPG approves the plan.

(c) Compliance with the plan approved under this chapter will be a condition of license renewal.

(d) A compulsive and problem gambling plan must include the following:

(1) The goals of the plan and procedures and timetables to implement the plan.

(2) The identification of the individual who will be responsible for the implementation and maintenance of the plan.

(3) Policies and procedures including the following:

(i) The commitment of the licensee to train appropriate employees.

(ii) The duties and responsibilities of the employees designated to implement or participate in the plan.

(iii) The responsibility of patrons with respect to responsible gambling.

(iv) Procedures to identify patrons and employees with suspected or known compulsive and problem gambling behavior.

(v) Procedures for providing information to individuals regarding community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members.

(vi) Procedures for responding to patron requests for information regarding community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members. The provisions of this subsection do not create a duty for a slot machine licensee or its employees to refer compulsive and problem gamblers to qualified treatment professionals.

(4) The provision of printed material to educate patrons about compulsive and problem gambling and to inform them about treatment services available to compulsive and problem gamblers and their families. The slot machine licensee shall provide examples of the materials to be used as part of its plan, including signs required under § 501a.5 (relating to signage requirements), brochures and other printed material and a description of how the material will be disseminated.

(5) An employee training program as required under § 501a.3 (relating to employee training program), including training materials to be utilized and a plan for periodic reinforcement training.

(6) A certification process established by the slot machine licensee to verify that each employee has completed the training required by the plan.

(7) An estimation of the cost of development, implementation and administration of the plan.

(8) A list of community, public and private treatment services, gamblers anonymous programs and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members.

(9) Procedures to prevent underage gambling as required under § 513a.3(b) (relating to responsibilities of licensees, permittees, registrants and certification holders).

(10) Procedures to prevent excluded persons from gambling.

(11) Procedures to prevent intoxicated patrons from gambling.

(12) Details of outreach programs which the slot machine licensee intends to offer to employees and individuals who are not employees of the slot machine licensee.

(13) The plan for posting signs required under § 501a.5 within the licensed facility, containing gambling treatment information.

(e) A slot machine licensee shall also submit other policies and procedures the slot machine licensee intends to use beyond what is required under subsection (d) to prevent and raise awareness of compulsive and problem gambling.

(f) The Board may provide the plan submitted by the slot machine licensee to the Department of Health for its use in administering the act. The Department of Health may provide comments and recommendations to the OCPG and the licensee relating to the plan.

(g) A slot machine licensee shall submit amendments to the compulsive and problem gambling plan to the Director of OCPG for review and approval at least 30 days prior to the intended implementation date of the amendments. The slot machine licensee may implement the amendments on the 30th calendar day following the filing the amendments unless the slot machine licensee receives a notice under subsection (h) objecting to the amendments.

(h) If during the 30-day review period the Director of OCPG determines that the amendments may not promote the prevention of compulsive and problem gambling or assist in the proper administration of responsible gaming programs, the Director of OCPG may, by written notice to the slot machine licensee, object to the amendments. The objection will:

(1) Specify the nature of the objection and, when possible, an acceptable alternative.

(2) Direct that the amendments not be implemented until approved by the Director of OCPG.

(i) When amendments have been objected to under subsection (h), the slot machine licensee may submit revised amendments for review in accordance with subsections (g) and (h).

Authority

The provisions of this § 501a.2 amended under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 501a.2 amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057. Immediately preceding text appears at serial pages (362157) to (362158) and (333743).

Cross References

This section cited in 58 Pa. Code § 501a.3 (relating to employee training program); 58 Pa. Code § 501a.5 (relating to signage requirements); and 58 Pa. Code § 501a.7 (relating to advertising).

§ 501a.3. Employee training program.

- (a) The employee training program required under § 501a.2(d)(5) (relating to compulsive and problem gaming plan) must include instruction in the following:
- (1) Characteristics and symptoms of compulsive behavior, including compulsive and problem gambling.
 - (2) The relationship of compulsive and problem gambling to other addictive behavior.
 - (3) The social and economic consequences of compulsive and problem gambling, including debt, treatment costs, suicide, criminal behavior, unemployment and domestic issues.
 - (4) Techniques to be used when compulsive and problem gambling is suspected or identified.
 - (5) Techniques to be used to discuss compulsive and problem gambling with patrons and advise patrons regarding community, public and private treatment services.
 - (6) Procedures designed to prevent serving alcohol to visibly intoxicated gaming patrons.
 - (7) Procedures designed to prevent persons from gaming after having been determined to be visibly intoxicated.
 - (8) Procedures for the dissemination of written materials to patrons explaining the self-exclusion program.
 - (9) Procedures for removing an excluded person, an underage individual or a person on the self-exclusion list from a licensed facility including, if necessary, procedures that include obtaining the assistance of appropriate law enforcement personnel.
 - (10) Procedures for preventing an excluded person or a person on the self-exclusion list from being mailed any advertisement, promotion or other target mailing no later than 5 business days after receiving notice from the Board that the person has been placed on the excluded person or self-exclusion list.
 - (11) Procedures for preventing an individual under 21 years of age from receiving any advertisement, promotion or other target mailing.

(12) Procedures to prevent an excluded person, an individual under 21 years of age or a person on the self-exclusion list from having access to or from receiving complimentary services, or other like benefits.

(13) Procedures to prevent an excluded person, an individual under 21 years of age or a person on the self-exclusion list from cashing checks.

(b) Training and training materials shall be updated annually and include current research and information on responsible and problem gambling.

(c) Training for employees shall be conducted by a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs as part of the employee's orientation.

(d) Employees who have received training shall be certified by the slot machine licensee under § 501a.2(d)(6) upon completion of the training.

(e) Employees are required to receive periodic reinforcement training at least once every calendar year starting with the year following the year in which the employee was hired. The date of the reinforcement training shall be recorded in each employee's personnel file.

(f) Employees shall report suspected or identified compulsive or problem gamblers to a designated key employee or other supervisory employee.

(g) The identity of an individual suspected of known compulsive or problem gambling shall be confidential except as provided under § 503a.3(f) (relating to self-exclusion list) and section 1516(d) of the act (relating to list of persons self excluded from gaming activities).

(h) Slot machine licensees may collaborate with a person with specialized knowledge, skill, training and experience in responsible gaming employee training programs to develop an in-house or Internet-based employee training program to provide the training and reinforcement training required under this chapter.

Authority

The provisions of this § 501a.3 amended under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 501a.3 amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057. Immediately preceding text appears at serial pages (333743) to (333744) and (365699).

Cross References

This section cited in 58 Pa. Code § 501a.2 (relating to compulsive and problem gambling plan); and 58 Pa. Code § 503a.4 (relating to duties of slot machine licensees).

§ 501a.4. Reports.

(a) A slot machine licensee shall submit to the Director of the OCPG an annual summary of its compulsive and problem gambling program by the last business day of July.

(b) The annual summary must contain, at a minimum, detailed information regarding:

(1) Employee training, including:

(i) The dates of live new hire and annual reinforcement compulsive gambling training.

(ii) The individual or group who conducted the training.

(iii) The number of employees who completed the new hire compulsive gambling training.

(iv) The number of employees who completed the annual reinforcement compulsive gambling training.

(v) The dates of responsible alcohol training.

(vi) The individual or group who conducted the responsible alcohol training.

(vii) The number of employees who completed the responsible alcohol training.

(2) An estimated amount of printed materials provided to patrons regarding:

(i) Compulsive and problem gambling.

(ii) The self-exclusion program.

(iii) Responsible gaming.

(iv) Available treatment services.

(3) The amount spent on the Compulsive and Problem Gambling Plan for:

(i) Employee training.

(ii) Printed materials.

(iii) Outreach including community training and sponsorships.

(4) Additional information including:

(i) The number of underage individuals who were denied access to the gaming floor.

(ii) The number of self-excluded individuals who were discovered on the gaming floor at the licensed facility.

(iii) The number of signs within the licensed facility that contain the approved problem gambling statement and helpline number.

(iv) A summary of any community outreach conducted by the licensee.

Authority

The provisions of this § 501a.4 amended under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(30) and 1207(2) and (9).

Source

The provisions of this § 501a.4 amended February 1, 2013, effective February 2, 2013, 43 Pa.B. 660. Immediately preceding text appears at serial page (362159).

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§ 501a.5. Signage requirements.

Under section 1509(c) of the act (relating to compulsive and problem gambling program), each slot machine licensee shall post at least 20 signs that include a gambling assistance message that complies with § 501a.7(d) (relating to advertising). The complete text of the sign shall be submitted for approval to the Director of OCPG utilizing the process contained in § 501a.2(g) (relating to compulsive and problem gambling plan). The signs must be prominently posted at the following locations:

- (1) Within 50 feet of each entrance and exit of the facility.
- (2) Above or below the cash dispensing opening on all automated teller machines, automated gaming voucher and coupon redemption machines, and other machines that dispense cash to patrons in the licensed facility.

Authority

The provisions of this § 501a.5 amended under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (3), (5), (7)—(9), 1212, 1321, 1322, 13A02(2), 13A26(c), 1509, 1516, 1518(a)(13) and Chapter 16.

Source

The provisions of this § 501a.5 amended February 26, 2010, effective February 27, 2010, 40 Pa.B. 1082; amended May 13, 2011, effective May 14, 2011, 41 Pa.B. 2439; amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057. Immediately preceding text appears at serial page (365700).

Cross References

This section cited in 58 Pa. Code § 501a.2 (relating to compulsive and problem gambling plan).

§ 501a.6. [Reserved].

Authority

The provisions of this § 501a.6 amended under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(30), 1207(3), (5), (9) and (11) and 1322; reserved under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 501a.6 amended May 14, 2010, effective May 15, 2010, 40 Pa.B. 2535; reserved November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057. Immediately preceding text appears at serial page (365701).

§ 501a.7. Advertising.

(a) A licensee, certified or registered entity, or its agent may not employ or contract with an individual or entity to persuade or convince a person to engage in gaming or play a specific slot machine or table game while on the gaming floor of a licensed facility.

(b) A licensee, certified or registered entity, or its agent shall discontinue as expeditiously as possible the use of a particular advertisement upon receipt of written notice that the OCPG has determined that the use of the particular advertisement in, or with respect to, this Commonwealth could adversely impact the public or the integrity of gaming.

(c) Advertisements used by a licensee, certified or registered entity, or its agent may not:

- (1) Contain false or misleading information.
- (2) Fail to disclose conditions or limiting factors associated with the advertisement.
- (3) Use a font, type size, location, lighting, illustration, graphic depiction or color obscuring conditions or limiting factors associated with the advertisement or the statement required under subsection (d).

(d) Advertisements must contain a gambling assistance message that is similar to one of the following:

- (1) If you or someone you know has a gambling problem, help is available. Call (toll free telephone number).
- (2) Gambling Problem? Please call (toll free telephone number).
- (3) Gambling Problem? Call (toll free telephone number).

(e) The complete text of the gambling assistance message and the font to be used for the statement, if it has not been previously approved, shall be submitted to the Director of OCPG for approval utilizing the process in § 501a.2(g) (relating to compulsive and problem gambling plan) and comply with the following:

- (1) For signs, direct mail marketing materials, posters and other print advertisements, the height of the font used for the gambling assistance message must be the greater of:
 - (i) The same size as the majority of the text used in the sign, direct mail marketing material, poster or other print advertisement.
 - (ii) Two percent of the height or width, whichever is greater, of the sign, direct mail marketing material, poster or other print advertisement.
- (2) For billboards, the height of the font used for the gambling assistance message must be at least 5% of the height or width, whichever is greater, of the face of the billboard.
- (3) For video and television, the gambling assistance message must be visible for either:
 - (i) The entire time the video or television advertisement is displayed. The height of the font used for the gambling assistance message must be at least 2% of the height or width, whichever is greater, of the image that will be displayed.
 - (ii) From the first time a table game, table game device, slot machine, associated equipment or casino name is displayed or verbally referenced, and on a dedicated screen shot visible for at least the last 3 seconds of the video

or television advertisement. If the licensee elects to utilize this option, the height of the font used for the gambling assistance message displayed:

- (A) During the advertisement must be at least 2% of the height or width, whichever is greater, of the image that will be displayed.
 - (B) On the dedicated screen shot must be at least 8% of the height or width, whichever is greater, of the image that will be displayed.
- (4) For web sites, including social media sites:
- (i) The gambling assistance message must be posted on each webpage or profile page and on a gaming related advertisement posted on the webpage or profile page.
 - (ii) The height of the font used for the gambling assistance message must be at least the same size as the majority of the text used in the webpage or profile page.
 - (iii) For advertisements posted on the webpage or profile page, the height of the font used for the gaming assistance message must comply with paragraph (1).

Authority

The provisions of this § 501a.7 issued under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 501a.7 adopted November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057.

Cross References

This section cited in 58 Pa. Code § 464a.2 (relating to conduct of a slot machine tournament); and 58 Pa. Code § 501a.5 (relating to signage requirements).

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