

CHAPTER 503a. CASINO SELF-EXCLUSION

Sec.

- 503a.1. Definitions.
- 503a.2. Request for casino self-exclusion.
- 503a.3. Casino self-exclusion list.
- 503a.4. Duties of slot machine licensees.
- 503a.5. Removal from casino self-exclusion list.
- 503a.6. Exceptions for individuals on the casino self-exclusion list.
- 503a.7. Disclosure of information related to persons on the casino self-exclusion list.

Authority

The provisions of this Chapter 503a added under 4 Pa.C.S. §§ 1203, 1509 and 1516, unless otherwise noted.

Source

The provisions of this Chapter 503a adopted October 26, 2007, effective October 27, 2007, 37 Pa.B. 5744, unless otherwise noted.

Cross References

This chapter cited in 58 Pa. Code § 441a.23 (relating to category 3 slot machine licensees); 58 Pa. Code § 465a.11 (relating to slot machine licensee's organization; jobs compendium); 58 Pa. Code § 501a.3 (relating to employee training program); 58 Pa. Code § 603a.20 (relating to Match Play Coupons; physical characteristics and issuance); and 58 Pa. Code § 609a.3 (relating to application and verification procedures for granting credit).

§ 503a.1. Definitions.

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

Casino self-excluded person—A person whose name and identifying information is included, at the person's own request, on the casino self-exclusion list maintained by the Board.

Casino self-exclusion list—A list of names and identifying information of persons who, under this chapter, have voluntarily agreed to be:

- (i) Excluded from the gaming floor and areas off the gaming floor where gaming activity is conducted.
- (ii) Excluded from engaging in all gaming related activities at a licensed facility or other location approved by the Board to conduct gaming activity.
- (iii) Prohibited from collecting any winnings or recovering any losses resulting from gaming activity.

Fully executed gaming transaction—An activity involving a slot machine, table game or associated equipment, or placement of a sports wager which occurs on the gaming floor of a licensed facility or other location approved by the Board to conduct gaming activity or in areas off the gaming floor where contests or tournaments are conducted which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a slot machine licensee or slot system operator.

Gaming activity—The play of slot machines, table games, or the placement of a sports wager, including play during contests, tournaments or promotional events.

Gaming related activity—An activity related to the play of slot machines, table games, or the placement of a sports wager, including applying for player club memberships or credit, cashing checks, or accepting a complimentary gift, service, promotional item or other thing of value at a licensed facility or other location approved by the Board to conduct gaming activity.

OCPG—Office of Compulsive and Program Gambling.

Winnings—Any money or thing of value received from, or owed by, a slot machine licensee or slot system operator as a result of a fully executed gaming transaction.

Authority

The provisions of this § 503a.1 amended under 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(1) and (2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 503a.1 amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057; amended May 28, 2021, effective May 29, 2021, 51 Pa.B. 2966. Immediately preceding text appears at serial pages (375145) to (375146).

§ 503a.2. Request for casino self-exclusion.

(a) A person requesting to be self-excluded from gaming activity at licensed facilities or other locations approved by the Board to conduct gaming activity shall submit a completed Request for Voluntary Self-Exclusion from Gaming Activities Form to the Board by one of the following methods:

- (1) Electronically on the Board's web site.
- (2) In person by scheduling an appointment at the Board's Harrisburg office, one of the Board's other offices or at a licensed facility. To make an appointment, a person may contact the OCPG at (717) 346-8300 or problemgambling@pa.gov.

(b) A request for casino self-exclusion must include the following identifying information:

- (1) Name, including any aliases or nicknames.
- (2) Date of birth.
- (3) Address of current residence.
- (4) Telephone number.
- (5) Social Security number, or the last 4 digits of the individual's Social Security Number, when voluntarily provided in accordance with section 7 of the Privacy Act of 1974 (5 U.S.C.A. § 552a).
- (6) Physical description of the person, including height, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person.

(c) The information provided in subsection (b) shall be updated by the casino self-excluded person within 30 days of a change. Updated information shall be submitted on a Change of Information Form to the following address, or submitted online in the "update my information" webform on the Board's web site. A copy of the form can be obtained by calling the OCPG at (717) 346-8300, by e-mail at problemgambling@pa.gov, or by writing to:

503a-2

PENNSYLVANIA GAMING CONTROL BOARD
OFFICE OF COMPULSIVE AND
PROBLEM GAMBLING
COMMONWEALTH TOWER
303 WALNUT STREET, 5TH FLOOR
HARRISBURG, PA 17101

(d) The length of casino self-exclusion requested by a person must be one of the following:

- (1) One year (12 months).
- (2) Five years.
- (3) Lifetime.

(e) A request for casino self-exclusion must include a signed release which:

(1) Acknowledges that the request for casino self-exclusion has been made voluntarily.

(2) Certifies that the information provided in the request for casino self-exclusion is true and accurate.

(3) Acknowledges that the individual requesting casino self-exclusion is a problem gambler.

(4) Acknowledges that a person requesting a lifetime exclusion may only request removal from the casino self-exclusion list in accordance with the procedures set forth in § 503a.5(f) (relating to removal from casino self-exclusion list) and that a person requesting a 1-year or 5-year exclusion will remain on the casino self-exclusion list until a request for removal under § 503a.5 is accepted and the 7 business days required under § 503a.5(e) have elapsed.

(5) Acknowledges that if the individual is discovered on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities at any licensed facility or other location approved by the Board to conduct gaming activity, that the individual will be subject to removal and arrest for criminal trespass under 18 Pa.C.S. § 3503 (relating to criminal trespass) and the individual's winnings will be subject to confiscation and remittance to support compulsive and problem gambling programs.

(6) Releases, indemnifies, holds harmless and forever discharges the Commonwealth, the Board and all slot machine licensees from claims, damages, losses, expenses or liability arising out of, by reason of or relating to the casino self-excluded person or to any other party for any harm, monetary or otherwise, which may arise as a result of one or more of the following:

(i) The failure of a slot machine licensee to withhold gaming privileges from or restore gaming privileges to a casino self-excluded person.

(ii) Otherwise permitting or not permitting a casino self-excluded person to engage in gaming activity in a licensed facility or other location approved by the Board to conduct gaming activity while on the list of casino self-excluded persons.

(iii) Confiscation of the individual's winnings.

(f) Casino self-exclusions for 1-year or 5 years remain in effect until the period of casino self-exclusion concludes and the person requests removal from

the Board's casino self-exclusion list under § 503a.5, the request for removal is accepted by the Board, and the required 7 business days under § 503a.5(e) have elapsed.

(g) A person submitting a casino self-exclusion request shall present or submit electronically a copy of that person's valid government-issued identification containing the person's signature and photograph when the person submits the request, or if the person does not possess a valid government-issued identification, some other documentation to verify the identity of the person (for example, a utility or other bill in the person's name at the same address provided).

(h) A person requesting casino self-exclusion in person under this chapter shall have a photograph taken by the Board, or agent thereof, upon submission of the request to be on the list.

(i) A person requesting casino self-exclusion electronically on the Board's web site shall submit a copy of a recent passport-style photograph of the person upon submission of the request to be on the list.

Authority

The provisions of this § 503a.2 amended under 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(1) and (2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 503a.2 amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057; amended May 28, 2021, effective May 29, 2021, 51 Pa.B. 2966; amended August 2022, effective August 2022. Immediately preceding text appears at serial pages (404786) to (404788).

Cross References

This section cited in 58 Pa. Code § 503a.3 (relating to casino self-exclusion list); and 58 Pa. Code § 503a.5 (relating to removal from casino self-exclusion list).

§ 503a.3. Casino self-exclusion list.

(a) The Board will maintain the official casino self-exclusion list and will make all necessary additions or deletions of individuals removed from the list under § 503a.5 (relating to removal from casino self-exclusion list) within 5 business days of the verification of the information received under § 503a.2 (relating to request for casino self-exclusion) and shall make the casino self-exclusion list available to slot machine licensees electronically by means of the Board's self-exclusion system.

(b) The information made available to slot machine licensees by means of the Board's self-exclusion system will include the following information concerning a person who has been added to the casino self-exclusion list:

- (1) Name, including any aliases or nicknames.
- (2) Date of birth.
- (3) Address of current residence.
- (4) Telephone number.
- (5) Social Security number, or the last 4 digits of the individual's Social Security Number, when voluntarily provided in accordance with section 7 of the Privacy Act of 1974 (5 U.S.C.A. § 552a).

503a-4

(6) Physical description of the person, including height, gender, hair color, eye color and other physical characteristic, that may assist in the identification of the person.

(7) A copy of the photograph taken by the Board or submitted electronically under § 503a.2(h) and (i).

(c) The information made available to slot machine licensees by the Board concerning a person whose name has been removed from the casino self-exclusion list will include the name and date of birth of the person.

(d) A slot machine licensee shall maintain a copy of the casino self-exclusion list and establish procedures to ensure that the copy of the casino self-exclusion list is updated at least every 2 business days with the information made available to slot machine licensees by means of the Board's self-exclusion system and that all appropriate employees and agents of the slot machine licensee are notified of the additions to or deletions from the list.

(e) Information furnished to or obtained by the Board under this chapter will be deemed confidential and will not be disclosed except in accordance with this chapter.

(f) Slot machine licensees, employees or agents thereof may not disclose the name of, or any information about, a person who has requested casino self-exclusion to anyone other than employees and agents of the slot machine licensee whose duties and functions require access to the information. Notwithstanding the foregoing, a slot machine licensee may disclose the identity of a casino self-excluded person to appropriate employees of other slot machine licensees in this Commonwealth or affiliated gaming entities in other jurisdictions for the limited purpose of assisting in the proper administration of responsible gaming programs.

(g) A casino self-excluded person may not collect in any manner or in any proceeding any winnings or recover any losses arising as a result of any gaming activity for the entire period of time that the person is on the Board's casino self-exclusion list.

(h) Winnings incurred by a casino self-excluded person shall be remitted to the Board to support compulsive and problem gambling programs of the Board.

(i) For the purposes of this section, winnings issued to, found on or about, or redeemed by a casino self-excluded person shall be subject to remittance to the Board.

Authority

The provisions of this § 503a.3 amended under 4 Pa.C.S. §§ 1202(b)(30), 13A02(1) and (2) and 1516(a) and (b).

Source

The provisions of this § 503a.3 amended May 28, 2021, effective May 29, 2021, 51 Pa.B. 2966. Immediately preceding text appears at serial pages (375148) to (375149).

Cross References

This section cited in 58 Pa. Code § 501a.3 (relating to employee training program); and 58 Pa. Code § 503a.4 (relating to duties of slot machine licensees).

503a-5

(404789) No. 561 Aug. 21

§ 503a.4. Duties of slot machine licensees.

(a) A slot machine licensee shall train its employees and establish procedures to:

(1) Identify a casino self-excluded person when present on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities and, upon identification, immediately notify the following persons:

- (i) Employees of the slot machine licensee whose duties include the removal of casino self-excluded persons.
- (ii) Casino compliance representatives at the licensed facility.
- (iii) The Pennsylvania State Police, or local police department if applicable.

(2) Refuse wagers from and deny gaming privileges to a casino self-excluded person.

(3) Deny gaming related activities, gaming junket participation and other similar privileges and benefits to a casino self-excluded person.

(4) Ensure that casino self-excluded persons do not receive, either from the slot machine licensee or any agent thereof, gaming junket solicitations, targeted mailings, telemarketing promotions, player club materials or other promotional materials relating to gaming activities at its licensed facility or other location approved by the Board to conduct gaming activity as required under § 501a.3(a)(10) (relating to employee training program).

(5) Comply with § 503a.3(d) (relating to casino self-exclusion list).

(6) Make available to patrons written materials explaining the casino self-exclusion program.

(b) A slot machine licensee shall submit a copy of its procedures and training materials established under subsection (a) to the Director of OCPG for review and approval at least 30 days prior to initiation of gaming activities at the licensed facility or other location approved by the Board to conduct gaming activity. The slot machine licensee will be notified in writing of any deficiencies in the procedures and training materials and may submit revisions to the procedures and training materials to the Director of OCPG. A slot machine licensee may not commence operations until the Director of OCPG approves the procedures and training.

(c) A slot machine licensee shall submit amendments to the procedures and training materials required under subsection (b) 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 of the amendments unless the slot machine licensee receives a notice under subsection (d) objecting to the amendments.

(d) If during the 30-day review period the Director of OCPG determines that the amendments to the procedures and training materials may not promote the prevention of gaming by self-excluded individuals or assist in the proper admin-

istration of the casino self-exclusion program, 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.
- (e) When the amendments to the procedures and training materials have been objected to under subsection (d), the slot machine licensee may submit revised amendments in accordance with subsections (c) and (d).
- (f) A slot machine licensee shall post signs at all entrances to a licensed facility or other location approved by the Board to conduct gaming activity indicating that a person who is on the casino self-exclusion list will be subject to arrest for trespassing under 18 Pa.C.S. § 3503 (relating to criminal trespass) if the person is on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities in the licensed facility or other location approved by the Board to conduct gaming activity. The text and font size of the signs shall be submitted for approval to the Director of OCPG under the procedures specified in subsection (b).
- (g) The list of casino self-excluded persons is confidential, and any distribution of the list to an unauthorized source constitutes a violation of the act.
- (h) Under section 1516 of the act (relating to list of persons self excluded from gaming activities), slot machine licensees and employees thereof may not be liable for damages in any civil action, which is based on the following:
- (1) Failure to withhold gaming privileges from or restore gaming privileges to a casino self-excluded person.
 - (2) Permitting or not permitting a casino self-excluded person to gamble.
 - (3) Good faith disclosure of the identity of a casino self-excluded person to someone, other than those authorized by this chapter, for the purpose of complying with this chapter.
- (i) A slot machine licensee shall report the discovery of a casino self-excluded person on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities to the Director of OCPG within 24 hours.

Authority

The provisions of this § 503a.4 amended under 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(1) and (2), 13A26(c), 1509, 1516, 1518(a)(13) and Chapter 16.

Source

The provisions of this § 503a.4 amended October 10, 2008, effective October 11, 2008, 38 Pa.B. 5652; amended May 13, 2011, effective May 14, 2011, 41 Pa.B. 2439; amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057; amended May 28, 2021, effective May 29, 2021, 51 Pa.B. 2966. Immediately preceding text appears at serial pages (375149) to (375151).

Cross References

This section cited in 58 Pa. Code § 465a.20 (relating to personal check cashing).

503a-7

(404791) No. 561 Aug. 21

§ 503a.5. Removal from casino self-exclusion list.

(a) For individuals who are self-excluded from licensed facilities or other locations approved by the Board to conduct gaming activity for 1 year or 5 years, upon the conclusion of the period of casino self-exclusion, the individual may request removal from the casino self-exclusion list electronically on the Board's web site or by scheduling an appointment with the OCPG at (717) 346-8300 or problemgambling@pa.gov.

(b) The individual requesting removal shall complete and submit a Request for Removal from Voluntary Self-Exclusion Form as required under subsections (c) and (d). With an appointment, removal from the list may be conducted at the Board's Harrisburg office, one of the Board's regional offices or other location approved by the OCPG.

(c) A completed Request for Removal from Voluntary Self-Exclusion Form must include:

(1) The identifying information specified in § 503a.2(b) (relating to request for casino self-exclusion).

(2) The signature of the person requesting removal from the casino self-exclusion list indicating acknowledgment of the following statement:

"I certify that the information that I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for casino self-exclusion, and I authorize the Board to permit all slot machine licensees of the Commonwealth of Pennsylvania to reinstate my gaming privileges at licensed facilities or other locations approved by the Board to conduct gaming activity."

(d) A person submitting a Request for Removal from Voluntary Self-Exclusion Form shall be required to present or submit a copy of that person's valid government-issued identification containing the person's signature and photograph when the form is submitted electronically or during the person's scheduled appointment, or if the person does not possess a valid government-issued identification, some other documentation to verify the identity of the person (for example, a utility or other bill in the person's name at the same address provided).

(e) Within 5 business days after the completed Request for Removal from Voluntary Self-Exclusion Form is accepted by Board staff, the OCPG will delete the name of the individual from the casino self-exclusion list. An individual who was removed from the voluntary casino self-exclusion list may not enter the gaming floor, areas off the gaming floor where contests or tournaments are conducted or engage in gaming related activities for 7 business days from the date Board staff accepts the complete Request for Removal from Voluntary Self-Exclusion Form.

(f) For individuals who selected lifetime casino self-exclusion under § 503a.2(d)(3):

(1) After being on the casino self-exclusion list for a period of 10 years, the individual may petition the Board to be removed from the casino self-exclusion list.

(2) The petition shall be filed with the Board in writing, and shall be accompanied by all of the following:

(i) Documentation from a treatment provider who is certified by the International Gambling Counselor Certification Board or who has received a Problem Gambling Endorsement from the Pennsylvania Certification Board to conduct problem gambling assessments that the individual has completed a problem gambling assessment.

(ii) Documentation from a treatment provider that the individual has completed the treatment recommendation, if any, made after the assessment by the State-funded problem gambling treatment provider.

(3) After the petition is filed, OCPG will provide documentation to the Office of Enforcement Counsel regarding whether the individual has been known to be present at any licensed facilities or other locations approved by the Board to conduct gaming activity while on the casino self-exclusion list, and if so, the names of the licensed facilities or other locations and dates of attendance.

(4) The petition shall be handled in accordance with the procedures for petitions found in Subpart H (relating to practice and procedure) of the Board's regulations, including all confidentiality provisions.

(5) As the petitioner, the lifetime casino self-excluded individual filing the petition for removal from the casino self-exclusion list bears the burden of proof in showing that removal from the list would not be detrimental to the individual's physical or mental well-being and would not have a negative impact on gaming in the Commonwealth.

(6) If the Board:

(i) Grants the petition, it shall deliver to the individual by first class mail an Order approving the petition for removal from the casino self-exclusion list, and provide to the individual the contact information for OCPG for information on how to complete the removal process.

(ii) Denies the petition, it shall deliver to the individual by first class mail an Order denying the petition for removal from the casino self-exclusion list, which shall notify the individual that he or she shall remain on the casino self-exclusion list and include the reason for denial.

(7) Any petitioner whose petition is denied by the Board shall be prohibited from filing a subsequent petition for removal from the lifetime casino self-exclusion list for a period of 5 years from the date of denial.

Authority

The provisions of this § 503a.5 amended under 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(1) and (2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 503a.5 amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057; amended May 28, 2021, effective May 29, 2021, 51 Pa.B. 2966. Immediately preceding text appears at serial page (375151).

Cross References

This section cited in 58 Pa. Code § 503a.2 (relating to request for casino self-exclusion); and 58 Pa. Code § 503a.3 (relating to casino self-exclusion list).

503a-9

(404793) No. 561 Aug. 21

§ 503a.6. Exceptions for individuals on the casino self-exclusion list.

The prohibition against allowing casino self-excluded persons to be on the gaming floor or in areas off the gaming floor where gaming activity is conducted does not apply to an individual who is on the casino self-exclusion list if all of the following apply:

- (1) The individual is carrying out the duties of employment or incidental activities related to employment.
- (2) The slot machine licensee's security department and the Board's office located at the licensed facility have received prior notice.
- (3) Access to the gaming floor or areas off the gaming floor where gaming activity is conducted is limited to the time necessary to complete the individual's assigned duties.
- (4) The individual does not otherwise engage in any gaming activities.

Authority

The provisions of this § 503a.6 amended under 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(1) and (2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 503a.6 amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057; amended May 28, 2021, effective May 29, 2021, 51 Pa.B. 2966. Immediately preceding text appears at serial page (375152).

§ 503a.7. Disclosure of information related to persons on the casino self-exclusion list.

(a) The Board may periodically release to the public demographics and general information regarding the casino self-exclusion list such as the total number of individuals on the list, gender breakdown and age range.

(b) The Board may make selected data available, upon request, for the limited purpose of assisting in the proper administration of responsible gaming programs.

(c) The Board will not disclose identifying information or confirm or deny the existence of an individual's name on the Board's voluntary casino self-exclusion list.

Authority

The provisions of this § 503a.7 issued under 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; and amended under 4 Pa.C.S. §§ 1202(b)(30), 13A02(1) and (2) and 1516(a) and (b).

Source

The provisions of this § 503a.7 adopted November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057; amended May 28, 2021, effective May 29, 2021, 51 Pa.B. 2966. Immediately preceding text appears at serial page (375152).

[Next page is 503b-1.]