

# LOUISIANA STATE POLICE Gaming Enforcement Division

## Instructions for Self-Exclusion

The Request for Self-Exclusion from Casino Gaming Form must be submitted in person by the person requesting self-exclusion at one of the following Department of Public Safety, Office of State Police ("State Police") Gaming Field Office locations during normal business hours:

Baton Rouge Field Office  
7919 Independence Blvd. Box A3  
Baton Rouge, Louisiana 70806  
(225) 922-2155

Lafayette Field Office  
2020 W. Pinhook Rd., Suite 401  
Lafayette, La. 70508  
(337) 262-5795

Lake Charles Field Office  
One Lakeshore Dr. Ste. 970  
Lake Charles, Louisiana 70629  
(337) 491-2850

New Orleans Field Office  
1450 Poydras Street, Suite 1300  
New Orleans, Louisiana 70112  
(504) 310-7000

Shreveport Field Office  
3010 Knight St., Ste. 270  
Shreveport, Louisiana 71105  
(318) 862-9730

You must present valid identification such as a driver's license, passport, or military identification card. Louisiana State Police personnel will take your photograph.

Your photograph and identifying information will be distributed to appropriate personnel of the Casino Operator, Casino Manager, and all casino gaming licensees. The information contained in the self-exclusion requests and the self-exclusion list maintained by the Board are not open to public inspection and every effort will be made to maintain its confidentiality. However, the Louisiana Gaming Control Board, Louisiana State Police, Louisiana Department of Justice, nor the Office of the Attorney General ("Attorney General's Office") is liable for any disclosures of such information. Further, the Casino Operator, Casino Manager and all casino gaming licensees may alert other Louisiana casino gaming establishments to be on the lookout for you if you are discovered attempting to engage in gaming activities while on the self-exclusion list.

**In accordance with Section 5 of the Privacy Act, 7 U.S.C. 522a, disclosure of your social security number ("SSN") to the Board is voluntary.** Failure to provide your SSN is not grounds for denial of your request for self-exclusion. The request for your SSN is made pursuant to the Louisiana Gaming Control Law, *La. R.S. 27:1, et seq.* (Specifically *La. R.S. 27:27.1(D)*). If provided, your SSN will be disclosed to Louisiana casino gaming licensees, including the Casino Operator and Casino Manager, for their use in identifying you as a self-excluded person in order to deny you credit, check cashing and similar privileges, and for purposes of withholding money or things of value obtained by you or owed to you as a result of wagers made by you while on the self-exclusion list.

Your name will remain on the self-exclusion list and you will be excluded from casino gaming activities at **all** casino gaming establishments regulated by the Board for a minimum of **five (5) years**. After the expiration of five years from the date you received written notice of self-exclusion from the Board, your name will remain on the self-exclusion list. Your name will not be removed unless 1) you request that it be removed; 2) a hearing is held; and 3) there is a final decision of the Board determining that there is no longer a basis for you to be maintained on the self-exclusion list; however, **you cannot request removal from the list before five (5) years** have elapsed from the date you received written notice of self-exclusion from the Board.

**It is your responsibility to refrain from gaming activities.** The Louisiana Gaming Control Board, Louisiana State Police, nor the Attorney General's Office is liable for any acts or omissions in processing or enforcement of your request for self-exclusion, including failure to withhold your gaming privileges. However, if you are caught gambling at a casino, any winnings, including any chips, tokens, or electronic gaming device credits in your possession will be withheld and remitted to the State of Louisiana, you will be escorted from the gaming floor, and **will be subject to arrest pursuant to applicable provisions of law**. Further, neither the Board, State Police, nor the Attorney General's Office are liable for any acts or omissions in processing or enforcement of any later request by you to be removed from the self-exclusion list or your removal from the self-exclusion list.

## **LOUISIANA GAMING CONTROL LAW**

### **Louisiana Revised Statutes Title 27. Louisiana Gaming Control Law Chapter 2. Louisiana Gaming Control Board**

#### **§27.1. Uniform compulsive and problem gambling program**

A. Problem gambling is a serious and widely recognized problem. The gaming industry through the American Gaming Association in the Responsible Gaming Resource Guide has stated that the industry recognizes that gaming entertainment companies must stand up and take responsible actions to address social problems and costs that are created when some individuals have problems handling the product or services they provide. The industry has also stated that they know that the vast majority of the men and women who are their customers can enjoy their games responsibly, but that they also know the customers expect them to act responsibly toward those who cannot. It is imperative for the health, safety, and welfare of the citizens of the state of Louisiana that all gaming licensees and the casino gaming operator develop and implement comprehensive compulsive and problem gambling programs to be approved by the board.

B. The Louisiana Gaming Control Board shall adopt rules pursuant to the provisions of this Section for the development of a uniform compulsive and problem gambling program. These rules shall include the rules regarding self-exclusion as provided in Subsection D of this Section.

C. Within one hundred twenty days from the adoption of the rules provided for in Subsection B of this Section, each holder of a license as defined in R.S. 27:44(14), R.S. 27:353(5), and the casino gaming operator shall submit for approval to the board a comprehensive program that provides policies and procedures that, at a minimum, shall cover the following areas of concern and are designed to:

(1) Provide procedures designed to prevent employees from willfully permitting a person identified on a self-exclusion list from engaging in gaming activities at the licensed establishment or facility.

(2) Provide procedures to offer employee assistance programs or equivalent coverage. The procedures shall be designed to provide confidential assessment and treatment referral for gaming employees and, if covered, their dependents who may have a gambling problem.

(3) Provide procedures for the development of programs to address issues of underage gambling and unattended minors at gaming facilities.

(4) Provide procedures for the training of all employees that interact with gaming patrons in gaming areas to report suspected problem gamblers to supervisors who shall be trained as provided in this Paragraph. The training shall, at a minimum, consist of information concerning the nature and symptoms of compulsive and problem gambling behavior and assisting patrons in obtaining information about compulsive and problem gambling and available options for seeking assistance with such behavior.

(5) Provide procedures designed to prevent serving alcohol to intoxicated gaming patrons consistent with the provisions of R.S. 26:931 et seq.

(6) Provide procedures for removing self-excluded persons from the licensed establishment or facility, including, if necessary, procedures that include obtaining the assistance of the division or local law enforcement.

(7) Provide procedures preventing any person identified on the self-exclusion list from receiving any advertisement, promotion, or other targeted mailing after ninety days of receiving notice from the board that the person has been placed on the self-exclusion list.

(8) Provide procedures for the distribution or posting within the gaming establishment of information that promotes public awareness about problem gambling and provides information on available services and resources to those who have a gambling problem.

(9) Provide procedures for the distribution of responsible gaming materials to employees.

(10) Provide procedures for the posting of local curfews or laws and prohibitions, if any, regarding underage gambling and unattended minors.

(11) Provide procedures to prevent any person placed on the self-exclusion list from having access to credit or from receiving complimentary services, check-cashing services, and other club benefits.

D.(1) The board shall provide by rule for the establishment of a list of self-excluded persons from gaming activities at all gaming establishments. Any person may request placement on the list of self-excluded persons by acknowledging in a manner to be established by the board that the person wishes to be excluded and by agreeing that, during any period of voluntary exclusion, the person may not collect any winnings or recover any losses resulting from any gaming activity at such gaming establishments.

(2) The rules of the board shall establish procedures for placements on, and removals from, the list of self-excluded persons, provided that notwithstanding any law to the contrary, prior to the removal from such list, the board or a hearing officer shall conduct a hearing not open to the general public at which it shall be established by the person seeking removal that there is no longer a basis to be maintained on the self-exclusion list.

(3) The rules shall establish procedures for the transmittal to all gaming establishments of identifying information concerning self-excluded persons, and shall require all such gaming establishments to establish procedures designed, at a minimum, to remove self-excluded persons from targeted mailings or other forms of advertising or promotions and deny self-excluded persons access to credit, complimentaries, check-cashing privileges and other club benefits.

(4) The rules shall provide that notwithstanding the provision of R.S. 27:21 or any other law to the contrary, the board's list of self-excluded persons shall not be open to public inspection. The board, division, any licensee, permittee, or casino gaming operator and any employee or agent thereof shall not be liable to any self-excluded person or to any other party in any judicial proceeding for any monetary damages or other remedy which may arise as a result of disclosure or publication in any manner other than a willfully unlawful disclosure to a third party that is not an employee, affiliated company, or employee or agent of the board or division, of the identity of any self-excluded person.

E. A person who is prohibited from any gaming establishment by any provision of this Title or pursuant to any self-exclusion rules adopted by the board shall not collect in any manner

or proceeding any winnings or recover any losses arising as a result of any prohibited gaming activity.

F. In any proceeding brought against any licensee, permittee or casino gaming operator and any employee thereof for a willful violation of the self-exclusion rules of the board, the board may order the forfeiture of any money or thing of value obtained by the licensee or the casino gaming operator from any self-excluded person. Any money or thing of value so forfeited shall be deposited into the Compulsive and Problem Gaming Fund established pursuant to R.S. 28:842.

G. Nothing herein shall prevent any licensee, permittee, or casino gaming operator from adopting and maintaining a self-exclusion policy that may impose different or greater standards so long as such policy is in addition to the boards' self-exclusion rules and any actions taken pursuant to such a policy of a licensee, permittee, or casino gaming operator that has been approved by the board shall be subject to the limitations of liability set forth in this Section and R.S. 27:27.4.

H. The provisions of this Section shall not require the board, division, licensees, permittees, the casino gaming operator, and the employees thereof to identify problem or compulsive gamblers which is an activity that requires medical and clinical expertise.

I. Nothing herein shall be construed to relieve the licensee from the requirements of posting of signs to inform customers of the toll-free telephone number available to provide information and referral services regarding compulsive or problem gambling as required by R.S. 27:58(10), 249(B), 320, or 377.

J.(1) The board may impose sanctions on a licensee, permittee, or casino gaming operator under this Title, if the licensee, permittee, or casino gaming operator willfully fails to exclude from the licensed gaming establishment a person placed on the self-exclusion list.

(2) The board may seek revocation or suspension of a license, permit, or casino operating contract if the licensee, permittee, or casino gaming operator engages in a pattern of willful failure to exclude from the licensed gaming establishment persons placed on the self-exclusion list.

K. All rules shall be adopted pursuant to the provisions of the Administrative Procedure Act and R.S. 27:15(B)(8) and shall be subject to legislative oversight in accordance with R.S. 49:968. Notwithstanding any provision of law to the contrary, the legislative oversight committees shall have the power to make substantive changes to the rules in addition to approving or rejecting the rules.

L. A licensee or casino gaming operator conducting gaming pursuant to the provisions of this Title can demonstrate to the board compliance with the education and training provisions of this Section by providing proof of attendance by all employees when they are hired and annually thereafter at one of the following education programs:

(1) Training programs conducted by the Louisiana Association on Compulsive Gambling.

(2) Any other course on problem and compulsive gaming training approved by the board.

M. Except for the provisions of Subsection I, the provisions of this Section shall not apply to persons licensed pursuant to the provisions of the Video Draw Poker Devices Control Law as provided in Chapter 6 of this Title.

N. Notwithstanding the provisions of this Section to the contrary, the Louisiana Gaming Control Board shall adopt rules to provide for a uniform compulsive and problem gambling program for persons licensed pursuant to the provisions of the Video Draw Poker Devices Control Law as provided in Chapter 6 of this Title. All rules shall be adopted pursuant to the provisions of the Administrative Procedure Act and R.S. 27:15(B)(8) and shall be subject to legislative oversight and review in accordance with R.S. 49:968. Notwithstanding any provision of law to the contrary, the legislative oversight committees shall have the power to make substantive changes to the rules in addition to approving or rejecting the rules.

Acts 2001, No. 1124, §1.

### **§27.2. Board designated excluded persons**

A. The board shall adopt rules to provide for the establishment of a list of persons who are to be excluded from any room, premises, or designated gaming area of any establishment where gaming is conducted pursuant to a license or contract issued pursuant to the provisions of this Title. The rules must define the standards for exclusion and include standards relating to the following persons:

- (1) Those who are career or professional offenders as defined by the rules of the board.
- (2) Those who have been convicted of a criminal offense specified by the board.
- (3) Those whose presence in a gaming establishment operated by a licensee or the casino operator would be adverse to the interests of Louisiana or gaming operations.

B. The board and the division shall have the authority to place persons on the excluded list. The board or division may not place a person on the list required by this Section due to the person's race, color, creed, national origin, sex, or disability, as defined in R.S. 51:2232(11).

C. Whenever the name and description of any person is placed on an excluded person's list pursuant to this Title, except at that person's request, the division shall serve notice of such fact to such person by either of the following:

- (1) By personal service.
- (2) By certified mail to the last known address of such person.

D. A person may petition the board for removal of his name from the list. The petitioner has the burden of proving he does not meet the criteria of Paragraph (A)(1), (2), or (3) of this Section.

E. Any person who has been placed on the list of persons to be excluded or ejected from any gaming establishment pursuant to this Title may be imprisoned for up to six months or fined not more than five hundred dollars, or both if he thereafter enters or attempts to enter the premises of a gaming establishment without first having obtained a determination by the board that he should not have been placed on the list of persons to be excluded or ejected.

F.(1) The board may impose sanctions on a licensee, permittee, or casino gaming operator under this Title, if the licensee, permittee, or casino gaming operator willfully fails to exclude from the licensed gaming establishment a person placed on the exclusion list.

(2) The board may seek revocation or suspension of a license, permit, or casino operating contract if the licensee, permittee, or casino gaming operator engages in a pattern of willful failure to exclude from the licensed gaming establishment persons placed on the exclusion list.

G.(1) A person who is placed on the list is entitled to a hearing for review of the listing, unless otherwise agreed by the board or division and the named person, the hearing shall be held by the hearing officer in accordance with R.S. 27:25 not later than thirty days after the receipt of the petition.

(2) If upon completion of the hearing, the hearing officer determines that the rule does not or should not apply to the person listed, the division shall notify all licensees, casino gaming operator, and permittees of the determination.

H. The provisions of this Section shall not apply to persons licensed pursuant to the provisions of the Video Draw Poker Devices Control Law as provided in Chapter 6 of this Title.

Acts 2001, No. 1124, §1.

### **§27.3. Advertising; compulsive gambling information**

In any advertisement of gaming activities or of a gaming establishment that is offered to the general public in print by any licensee or the casino gaming operator operated pursuant to the provisions of this Title, the toll-free telephone number of the National Council on Problem Gambling or a similar toll-free number approved by the board shall be placed on such advertisement.

Acts 2001, No. 1124, §1.

### **§27.4. Exclusion or ejection of persons**

A. Any licensee, permittee, or the casino gaming operator may exclude or eject any person for any reason, except race, color, creed, national origin, sex, or disability as defined in R.S. 51:2232(11).

B. Any licensee or casino gaming operator licensed pursuant to the provisions of this Title, and any employee of a licensee or casino gaming operator shall not be liable for any monetary damages or any other remedy in any judicial proceeding as a result of the exclusion or removal of any person for any reason, except race, color, creed, national origin, sex, or disability as defined in R.S. 51:2232(11).

Acts 2001, No. 1124, §1.

**Louisiana Administrative Code**  
**Title 42. Louisiana Gaming Control Law**  
**Part 3. Louisiana Gaming Control Board**  
**Chapter 3. Compulsive and Problem Gambling**

**§304. Self-Exclusion**

A. Pursuant to R.S. 27:27.1, the Louisiana Gaming Control Board hereby provides for the establishment of a list of persons who, at his or her request, are to be excluded or ejected from all casino gaming establishments licensed or operating pursuant to Chapters 4, 5, and 7 of the Louisiana Gaming Control Law, R.S. 27:1 et seq.

B. Definitions

1. The following words and terms, when used in this Section, shall have the following meanings unless the context clearly indicates otherwise.

*Casino Gaming Establishment*—any room, premises, or designated gaming area of any establishment where gaming is conducted pursuant to Chapters 4, 5, and 7 of the Louisiana Gaming Control Law.

*Self-Excluded Person*—any person whose name is included, at his or her request, on the Self-Exclusion List maintained by the Board.

*Self-Exclusion List*—a list of names of persons who have voluntarily agreed to be excluded from all gaming activities and to be prohibited from collecting any winnings or recovering any losses at all licensed casino gaming establishments.

C. Request for Self-Exclusion

1. Any person may have his or her name placed on the Self-Exclusion List by submitting a request for self-exclusion in the form and manner required by this Section.

2. Any person requesting placement on the Self-Exclusion List shall submit, in person, a completed request for self-exclusion as required in Paragraph C.4 below. The request shall be delivered to an Office of State Police, Casino Gaming Division. Any person submitting a self-exclusion request shall be required to present valid identification credentials. Any person requesting self-exclusion pursuant to this Section shall be required to have his or her photograph taken by a division agent upon submission of the request.

3. No person placed on the Self-Exclusion List may request removal for a period of five years from the date the person is placed on the Self-Exclusion List.

4. A request for self-exclusion shall be in a form prescribed by the Board. Such form shall include:

- a. identifying information concerning the person submitting the request for self-exclusion, as follows:
  - i. name, including any known aliases or nicknames;
  - ii. date of birth, driver's license or state identification number, if available;
  - iii. current home and business address;

- iv. telephone number of current residence;
- v. Social Security number, which information is voluntarily provided in accordance with Section 7 of the Privacy Act, 5 U.S.C. §552(a); and
- vi. a physical description of the person, including height, weight, gender, hair color, eye color, and any other physical or distinguishing characteristics that may assist in the identification of the person;
- vii. the date of exclusion;

b. a waiver and release which shall release, forever discharge, indemnify and hold harmless the state of Louisiana, the Louisiana Gaming Control Board ("Board"), the Louisiana Department of Public Safety and Corrections, Office of State Police ("State Police"), the Department of Justice, Office of the Attorney General ("Attorney General's Office"), all casino gaming licensees, the casino operator and casino manager and their members, agents, and employees, from any liability to the person requesting self-exclusion and his or her heirs, administrators, executors and assigns for any harm, monetary or otherwise, which may arise out of or by reason of any act or omission relating to the request for self-exclusion, request for removal from the Self-Exclusion List, or removal from the Self-Exclusion List, including:

- i. processing or enforcement of the request for self-exclusion, request for removal or removal from the Self-Exclusion List;
- ii. the failure of the casino operator or casino manager or a casino gaming licensee to withhold gaming privileges from, or restore gaming privileges to, a Self-Excluded Person;
- iii. permitting a Self-Excluded Person to engage in gaming activity in a licensed casino gaming establishment while on the list of Self-Excluded Persons; and
- iv. disclosure of the information contained in the self-exclusion request or list, except for a willful unlawful disclosure of such information;

c. the following statement signed by the person submitting the request for self-exclusion:

"I understand and read the English language or have had an interpreter read and explain this form. I am voluntarily requesting exclusion from all gaming activities at all Louisiana casino gaming establishments because I am a compulsive and/or problem gambler. I certify that the information that I have provided above is true and accurate, and that I have read, understand, and agree to the waiver and release included with this request for self-exclusion. I am aware that my signature below authorizes the Board or the State Police to direct all Louisiana casino gaming licensees, including the casino operator and casino manager, to restrict my gaming activities and access to casino gaming establishments for a minimum period of five years from the date of exclusion. During such period of time, I will not attempt to enter any casino gaming establishment. I further understand that my name will remain on the Self-Exclusion List until 1) I submit a written request to the Board to terminate my self-exclusion; 2) a hearing is held; and 3) there is a written decision of the Board determining that there is no longer a basis for me to be maintained on the list. I am aware that I cannot request removal from the list before five years have elapsed from the date of exclusion. I am aware and agree that during any period of self-exclusion, I shall not collect in any manner or proceeding any winnings or recover any losses resulting from any gaming activity at any casino gaming establishment and that any money or thing of value obtained by me from, or owed to me by, the casino operator, casino manager, or a casino gaming licensee as a result of wagers made by me while on the Self-Exclusion List shall be withheld and remitted to the state of Louisiana."

d. the type of identification credentials examined containing the signature of the person requesting self-exclusion, and whether the credentials included a photograph of the person; and

e. the signature of a Board or division member, agent, or employee authorized to accept such request, indicating that the signature of the person on the request for self-exclusion appears to agree with that contained on his or her identification credentials and that any photograph or physical description of the person appears to agree with his or her actual appearance.

5. Upon receipt and acceptance of the request for self-exclusion and completion and submission of all required information and documentation the requesting party shall be placed on the Self-Exclusion List by the division.

#### D. Self-Exclusion List

1. The Board shall maintain a list of persons who, at his or her request, are excluded and are to be ejected from all casino gaming establishments.

2. The list shall not be open to public inspection.

3. The list shall be distributed by the division to the casino operator or casino manager and each casino gaming licensee who shall acknowledge receipt of the list in writing. The division shall notify the casino operator, casino manager and all casino gaming licensees of the addition of new names and removal of names from the Self-Exclusion List within two business days of the effective date of such action.

4. The casino operator or casino manager and each casino gaming licensee shall maintain a copy of the Self-Exclusion List and shall establish procedures to ensure that the Self-Exclusion List is updated and that all appropriate members, employees and agents of the casino operator or casino manager and each casino gaming licensee are notified of any addition to or deletion from the list within five business days after receipt of the notice from the division. Appropriate members, employees, and agents of the casino operator or casino manager and each casino gaming licensee are those whose duties and functions require access to such information. The notice provided by the division shall include the name and date of birth of any person whose name shall be removed from the Self-Exclusion List and the following information concerning any person whose name shall be added to the Self-Exclusion List:

a. name, including any known aliases or nicknames;

b. date of birth;

c. address of current residence;

d. telephone number of current residence;

e. Social Security number, if voluntarily provided by the person requesting self-exclusion;

f. driver's license or state identification number;

g. a physical description of the person, including height, weight, gender, hair color, eye color and any other physical or distinguishing characteristic that may assist in the identification of the person; and

h. a copy of the photograph taken by the division.

5. Information furnished to or obtained by the Board and division pursuant to this Section shall be deemed confidential and not be disclosed pursuant to R.S. 27:27.1.

6.a. Except as otherwise provided herein, neither the casino operator, casino manager, nor any casino gaming licensee, employee, or agent thereof shall disclose the Self-Exclusion List or the name of, or any information about, any person who has requested self-exclusion to anyone other than employees and agents of the casino operator, casino manager, or casino gaming licensee whose duties and functions require access to such information. Notwithstanding the foregoing, the casino operator, casino manager, and each casino licensee may disclose the name of and information about a self-excluded person to appropriate employees of other casino licensees in Louisiana for the purpose of alerting other casinos that a self-excluded person has tried to gamble or otherwise obtain gaming related privileges or benefits in a casino gaming establishment. Nothing herein shall be construed to prohibit the licensee from disclosing the identity of self-excluded persons to affiliated entities in Louisiana and other gaming jurisdictions for the limited purpose of assisting in the proper administration of compulsive and problem gaming programs operated by such affiliated entities.

b. The casino operator, casino manager, or a casino gaming licensee may release the names and identifying information of those persons on the Self-Excluded List to contracted service providers that provide check cashing, marketing, credit evaluations, automated teller machines, cash advances, or other financial services provided:

i. the identifying information shall be limited to the address, driver's license or state issued identification number, photograph, and physical description;

ii. only the name and identifying information may be disclosed to the contracted service provider. The casino operator, casino manager, or a casino gaming licensee shall neither disclose the reasons for providing the name and identifying information nor shall it be disclosed that the person is on the Self-Excluded List;

iii. the casino operator, casino manager, or a casino gaming licensee shall 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;

iv. the casino operator, casino manager, or a casino gaming licensee shall immediately report to the Division all instances of a self-excluded person accessing or attempting to access the services provided by the contracted service providers and investigate the incident as required by LAC 42:III.304(E).

c. Administrative hearings regarding or related to self-excluded persons shall be closed to the public and any record created or evidence introduced in conjunction with such hearings shall be maintained confidential and not made available for public inspection.

#### E. Duties of the Casino Operator, Casino Manager, and each Casino Gaming Licensee

1. The casino operator or casino manager and each casino gaming licensee shall establish procedures that are designed, to the greatest extent practicable, to:

a. permit appropriate employees of the casino operator or casino manager and the casino gaming licensee to identify a Self-Excluded Person when present in the casino gaming establishment and, upon such identification, immediately notify:

i. those employees of the casino operator or casino manager and the casino gaming licensee designated to monitor the presence of Self-Excluded Persons; and

- ii. appropriate representatives of the Board and division;
- b. refuse wagers from and deny any gaming privileges to any Self-Excluded Person;
- c. deny casino credit, check cashing privileges, player club membership, direct mail and marketing services complimentary goods and services, junket participation and other similar privileges and benefits to any Self-Excluded Person;
- d. enforce the provisions of LAC 42:III.304.D.6.

2. The casino operator or casino manager and each casino gaming licensee shall distribute a packet of written materials approved by the division to any person inquiring or requesting information concerning the Board's self-exclusion program.

3. The casino operator or casino manager and each casino licensee shall submit to the Board for approval a copy of its procedures established pursuant to LAC 42:III.304.D.4 and E.1 above within 120 days from the date this rule becomes effective. Any amendments to said procedures shall be submitted to the Board and approved prior to implementation.

4. If a Self-Excluded Person enters, attempts to enter, or is in the casino gaming establishment and is discovered by the casino operator or casino manager or any casino gaming licensee, the casino operator or casino manager or casino gaming licensee shall immediately notify the division of such fact and, unless otherwise directed by the division, immediately eject such excluded person from the casino gaming establishment.

5. Upon discovery of a Self-Excluded Person in the casino gaming establishment, both the security and surveillance Departments of the casino operator, casino manager and casino gaming licensees shall initiate a joint investigation, unless otherwise directed by the division.

- a. The joint investigation shall seek to determine:
  - i. responsibility of employees of the gaming establishment for allowing an excluded person to gain access to the casino gaming establishment; and
  - ii. the net amount of winnings or losses attributable to the excluded person.

b. The casino operator or casino manager and each casino gaming licensee shall provide a written report of the results of the joint investigation to the division.

6. The casino gaming establishment shall ensure that no winnings or losses arising as a result of prohibited gaming activity are paid or recovered by a Self-Excluded Person.

#### F. Sanctions

1. Any casino gaming licensee, casino operator, or casino manager who willfully fails to exclude a Self-Excluded Person from the casino gaming establishment shall be in violation of these rules and may be subject to administrative action pursuant to R.S. 27:27.1.J and this Section.

2. The penalty for violation of LAC 42:III.304.F.1 shall be \$25,000 or administrative action including but not limited to suspension or revocation.

#### G. Removal from Self-Exclusion List

1. Any Self-Excluded Person may, upon the expiration of five years from the date of exclusion, submit a written request to the Board for a hearing to have his or her name removed

from the Self-Exclusion List. Such request shall be in writing and state with specificity the reason for the request.

2. The request shall include a written recommendation from a qualified mental health professional as to the Self-Excluded Person's capacity to participate in gaming activities without adverse risks or consequences. The person seeking removal from the Self-Exclusion List may be required to obtain a separate and independent recommendation from a qualified mental health professional, approved by the hearing officer, as to the Self-Excluded Person's capacity to participate in gaming activities without adverse risks or consequences.

3. If the hearing officer determines that there is no longer a basis for the person seeking removal to be maintained on the Self-Exclusion List, the person's name shall be removed from the Self-Exclusion List and his or her exclusion shall be terminated. The division shall notify the casino operator or casino manager and all casino gaming licensees of the determination. The casino operator, casino Manger or any casino gaming licensee may continue to deny gaming privileges to persons who have been removed from the list.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 27:15 and 24.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 28:1990 (September 2002), amended LR 30:2493 (November 2004), LR 35:2199 (October 2009).