

## **3772-12-02 Application for Ohio voluntary exclusion**

(A) Ohio VEP applications will be available for completion at all Ohio casino facilities, video lottery terminal facilities, and the online Ohio VEP portal. If an individual is unable to appear in person at any of these facilities to complete an application and unable to utilize the online portal, the individual may contact staff from the state lottery commission or the Ohio casino control commission during regular business hours to make alternative arrangements to complete the application.

(B) No application will be accepted if it was not completed in the presence of either commission's staff or through the online Ohio VEP portal.

(C) As part of the Ohio VEP application, the individual must select the duration of their participation in the Ohio VEP. An individual may select any of the following time periods as a length of exclusion:

(1) A minimum of one year;

(2) A minimum of five years; or

(3) Lifetime, subject to paragraph (D) of rule [3772-12-05](#) of the Administrative Code.

(D) If an individual completing the Ohio VEP application, in the presence of an Ohio casino control commission or state lottery commission agent, appears to be doing so involuntarily or while impaired, their application will be rejected.

(E) After an individual's Ohio VEP application has been processed, delivery of written confirmation of their participation in the Ohio VEP will be attempted. Failure of delivery of the notification does not negate the individual's participation in the Ohio VEP.

**Rule 3772-12-05 Removal from the Ohio voluntary exclusion program**

- (A) A participant in the Ohio VEP is not automatically removed from the program at the end of the applicable exclusion period.
- (B) Upon reaching the selected minimum length of voluntary exclusion, an individual may request removal from the Ohio VEP.
- (C) An individual may be removed from the one-year or five-year exclusion by requesting and completing an unaltered application for removal.
- (D) An individual may be removed from the lifetime exclusion, if the individual has:
  - (1) Remained in the Ohio VEP for at least five years;
  - (2) Completed the Ohio VEP education program on problem gambling awareness; and
  - (3) Requested and completed an unaltered application for removal.

## **Rule 3772-12-06 Compulsive and problem gambling plan**

(A) Each excluded entity and facility, who is a casino or sports gaming facility or an online sports pool, must provide to the Ohio casino control commission a disordered and problem gambling plan for approval. Each plan must, at minimum, include the following:

- (1) The goals of the plan and procedures and timetables to implement the plan;
- (2) The identification of the position responsible for the implementation and maintenance of the plan;
- (3) Policies and procedures, including the following:
  - (a) Procedures for compliance with the Ohio VEP including, at a minimum:
    - (i) Procedures preventing an individual in the Ohio VEP from entering an excluded facility or engaging in or attempting to engage in gaming offered by an excluded entity;
    - (ii) Procedures identifying and removing individuals in the Ohio VEP from an excluded facility;
    - (iii) Procedures for preventing dissemination of any advertisement, promotion, or other direct marketing mailing fifteen days after the individual has been placed in the Ohio VEP;
    - (iv) Procedures for preventing an Ohio VEP participant from having access to credit or from receiving complimentary services, check-cashing services, and other benefits;
    - (v) Procedures for ensuring the confidentiality of the identity and the information of the Ohio VEP participants; and
    - (vi) Any other procedure required by the executive director.
  - (b) The duties and responsibilities of the employees designated to implement or participate in the plan;
  - (c) The responsibility of patrons with respect to safer gambling practices;
  - (d) Procedures to identify patrons and employees with suspected or known disordered and problem gambling behavior, including procedures specific to loyalty and other rewards and marketing programs;

- (e) Procedures for providing information to individuals regarding the Ohio VEP and community, public and private treatment services, peer support groups, and similar treatment or addiction therapy programs designed to prevent, treat, or monitor individuals with a gambling problem or gambling disorder and to counsel family members, including for providing the information upon the request of a patron or employee;
- (f) The provision of written material to educate patrons and employees about disordered and problem gambling and to inform them about the Ohio VEP and treatment services available to individuals with a gambling problem or gambling disorder and their families. The excluded entity or facility must provide the Ohio casino control commission examples of the materials to be used and a description of how the material will be disseminated;
- (g) Advertising and other marketing and outreach to educate the general public about disordered and problem gambling;
- (h) An employee training program, including training materials to be utilized and a plan for periodic reinforcement training and a certification process established by the excluded entity or facility to verify that each employee has completed the training required by the plan;
- (i) Procedures to prevent underage gambling;
- (j) Procedures for excluded facilities to prevent patrons impaired by drugs or alcohol, or both, from gambling; and
- (k) The plan for posting signs within an excluded facility, containing information on gambling treatment and on the Ohio VEP, including examples of the language and graphics to be used on the signs;

(4) A list of public and private treatment services, peer recovery support groups, and similar treatment or addiction therapy programs designed to prevent, treat, or monitor individuals with a gambling problem or gambling disorder and to counsel family members; and

(5) Any other information, documents, and policies and procedures that the Ohio casino control commission requires.

(B) Each excluded entity or facility must submit quarterly updates and an annual report to the Ohio casino control commission of its adherence to the plans and goals submitted under this rule. This report must include any information that the excluded entity or facility has received related to bankruptcy, divorce, crime, and attempted or died by suicide related to gambling offered by an excluded entity or at an excluded facility, including:

- (1) The name and date of birth of any individual;

(2) How the entity or facility came to know of the incident; and

(3) A brief description of the incident.

(C) A casino facility must apply the requirements of this rule to individuals participating in a voluntary exclusion program pursuant to rule [3772-12-07](#) of the Administrative Code.

**Rule 3772-12-07 Voluntary exclusions prior to the effective date of this rule**

- (A) This rule applies only to those individuals who submitted their application to join the Ohio casino control commission's voluntary exclusion program prior to March 1, 2019, and those individuals who submitted their application to join the Ohio VEP prior to the effective date of this rule and have not yet sought removal from the applicable program.
- (B) The individuals who submitted their application to join the Ohio casino control commission's voluntary exclusion program prior to March 1, 2019, may continue their participation and voluntary exclusion from only the four casino facilities in the state of Ohio.
- (C) The individuals who submitted their application to join the Ohio VEP prior to the effective date of this rule may continue their participation and voluntary exclusion from only the four casino facilities and seven video lottery terminal facilities in the state of Ohio.
- (D) The application for voluntary exclusion signed by the individual at the time of enrollment governs their participation.
- (E) These individuals may submit an Ohio VEP application, pursuant to rule [3772-12-02](#) of the Administrative Code. The individual's selected length of exclusion on this application will supersede their previously selected length of exclusion and will expand to all excluded entities and facilities.
- (F) Notwithstanding any rules to the contrary, or the terms of the applicable application to join the voluntary exclusion program, those individuals who selected the lifetime exclusion are permitted to seek removal from the voluntary exclusion program if they comply with the requirements set forth in paragraph (D) of rule [3772-12-05](#) of the Administrative Code.