

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 138: UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND
INTERNAL CONTROLS

138.13: Complimentary Services or Items and Promotional Gaming Credits

(4) The gaming licensee's complimentary distribution program shall include provisions ensuring that each patron who has been issued a rewards card by the gaming licensee (or its parent or other associated entity) in Massachusetts is issued a monthly statement, mailed to the patron at the patron's physical mailing address, which shall include the patron's total bets, wins and losses in Massachusetts in accordance with M.G.L. c.23K, § 29. For purposes of 205 CMR 138.13(4) the following shall apply:

- (a) An email address provided by the patron at the time a rewards card is applied for may be considered a physical mailing address. If a gaming licensee will provide the required notices via email, its program submission shall describe the manner in which the email contact list will be compiled and maintained.
- (b) Notice of the issuance of a monthly statement shall be provided to the applicant at the time of application for a rewards card. The applicant shall be given the opportunity to decline issuance of a monthly statement at that time. Notice shall also be provided to the applicant that they may later opt-out of being issued a monthly statement by providing a written or online request to the gaming licensee or affiliate. The complimentary distribution program submission shall describe these notice and opt-out provisions.
- (c) The program submission shall describe the information to be contained on the monthly statement including the terms and categories to be represented and a brief description as to how monetary figures are to be calculated.
- (d) If monthly total bets, wins and losses associated with a rewards card will be available to a patron via password protected log-in on the gaming licensee's website, or via similar means, the gaming licensee may provide the patron a monthly notice (via email or otherwise) advising where the information is available and how to access it, in lieu of incorporating the actual information into a monthly statement. If a gaming licensee elects this method the process shall be fully described in its complimentary distribution program submission.
- (e) Upon written request by a patron, information relative to total bets, wins and losses associated with the patron's rewards card shall be made available to the patron in writing at a gaming establishment upon reasonable notice.
- (f) If there is no gaming activity tied to a patron's rewards card for a period of at least 2 years the gaming licensee may cease providing notices to the patron in accordance with 205 CMR 138.13(4).