



MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #305

June 11, 2020
10:00 a.m.

VIA CONFERENCE CALL NUMBER: 1-646-741-5293
PARTICIPANT CODE: 112 833 8615



Massachusetts Gaming Commission



NOTICE OF MEETING and AGENDA
June 11, 2020 – 10:00 a.m.

PLEASE NOTE: Given the unprecedented circumstances resulting from the global Coronavirus pandemic, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of individuals interested in attending public meetings. In keeping with the guidance provided, the Commission will conduct a public meeting utilizing remote collaboration technology. If there is any technical problem with our remote connection, an alternative conference line will be noticed immediately on our website: MassGaming.com.

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

Thursday, June 11, 2020
10:00 a.m.

Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5293
PARTICIPANT CODE: 112 833 8615

All documents and presentations related to this agenda will be available for your review on the morning of June 11, 2020 by [clicking here](#).

PUBLIC MEETING - #305

1. Call to order
2. Administrative Update – Karen Wells, Interim Executive Director/ Director of IEB
 - a. Licensee Opening Protocol - Karen Wells, Interim Executive Director/Director of IEB; Todd Grossman, Interim General Counsel; Derek Lennon, Chief of Finance and Administration; Loretta Lillios, Chief Enforcement Counsel/Deputy Director; Bruce Band, Assistant Director, Gaming Agents Division Chief; Burke Cain, Field Manager of Gaming Operations/Deputy Gaming Agent Division Chief; Trupti Banda, Human Resource Manager; Jacqui Krum, Sen. Vice President and General Counsel, Encore Boston Harbor; Seth Stratton Vice President and General Counsel, MGM Springfield; Lance George, General Manager, Plainridge Park Casino
3. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.



Massachusetts Gaming Commission

I certify that on this date, this Notice was posted as “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

June 9th, 2020

Cathy Judd-Stein, Chair

Date Posted to Website: June 9th, 2020 at 10:00 a.m.



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com



MEMORANDUM

TO: Chair Cathy Judd-Stein
Commissioner Gayle Cameron
Commissioner Eileen O'Brien
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

FROM: Loretta Lillios, Chief Enforcement Counsel/Dep. Dir. - IEB

DATE: June 5, 2020

cc: Karen Wells, Bruce Band, Burke Cain

RE: Draft COVID-19 Related Guidelines for Reopening of Gaming Establishments

The purpose of this Memorandum and accompanying draft Guidelines is to offer, for the Commission's consideration, three groups of draft COVID-19-related minimum Guidelines for the initial reopening of the Commonwealth's gaming establishments. These draft Guidelines focus on social distancing, health, hygiene, safety, and reporting measures for each gaming establishment. Each category reflects an increasingly comprehensive set of measures. However, these draft Guidelines are not intended to reflect an exhaustive list of potential measures.

The IEB recommends that the Commission require each gaming licensee to provide the Commission with a detailed **Plan** at least 7 days in advance of reopening. This Plan shall identify the steps and measures the licensee will take to achieve compliance with the guidance and protocols issued by the Centers for Disease Control (CDC), the Massachusetts Department of Health (DPH), Governor Baker's orders, and the Guidelines ultimately adopted by the Commission. Additional subjects for inclusion in each licensee's Plan appear in the draft Guidelines. The Commission should require that each licensee work in conjunction with an individual with expert qualifications in the fields of public health and/or epidemiology to develop and approve its Plan. The credentials of these individuals shall accompany the submission of each Plan.

The IEB further recommends that each licensee's Compliance Department be responsible for adherence to its Plan, and that compliance with the Plan be subject to all required reporting and audit requirements (internal and MGC).



Massachusetts Gaming Commission



GROUP A	GROUP B	GROUP C
<p>Pre-opening Cleaning</p> <ul style="list-style-type: none"> • Before reopening, full cleaning and disinfecting of the GE in accordance with CDC Guidelines for Cleaning and Disinfecting Your Facility and any sector-specific protocols and best practices as indicated by the Governor 	<ul style="list-style-type: none"> • Before reopening, full cleaning and disinfecting of the GE in accordance with CDC Guidelines for Cleaning and Disinfecting Your Facility and any sector-specific protocols and best practices as indicated by the Governor 	<ul style="list-style-type: none"> • Before reopening, full cleaning and disinfecting of the GE in accordance with CDC Guidelines for Cleaning and Disinfecting Your Facility and any sector-specific protocols and best practices as indicated by the Governor
<p>Compliance w/ Public Health Guidance</p> <ul style="list-style-type: none"> • Comply with all guidance and protocols issued by the CDC, DPH, and the Governor for dealing with COVID-19 	<ul style="list-style-type: none"> • Comply with all guidance and protocols issued by the CDC, DPH, and the Governor for dealing with COVID-19 	<ul style="list-style-type: none"> • Comply with all guidance and protocols issued by the CDC, DPH, and the Governor for dealing with COVID-19
<p>Entry/Screening of Guests</p> <ul style="list-style-type: none"> • Provide hand sanitizer at points of entry and signage and greeters to encourage guests to use it before entering. All hand sanitizer throughout property shall comport with CDC Guidelines (minimum 60% ethanol or 70% isopropanol) • At points of entry, signage and greeters encourage guests to wear masks that cover the nose and mouth while in the gaming area except while eating or drinking • Plan must provide for a safe location for 	<ul style="list-style-type: none"> • Provide hand sanitizer at points of entry and signage and greeters to require guests to use it before entering. All hand sanitizer throughout property shall comport with CDC Guidelines (minimum 60% ethanol or 70% isopropanol) • At points of entry, greeters provide guests with masks (if guests need one) that cover the nose and mouth • Signage and greeters require guests to wear masks that cover the nose and 	<ul style="list-style-type: none"> • Provide separate points of entry and exit to avoid two-way flow of guest traffic • Provide hand sanitizer with touchless dispensers at points of entry and signage and greeters to require guests to use it before entering. All hand sanitizer throughout property shall comport with CDC Guidelines (minimum 60% ethanol or 70% isopropanol) • At points of entry, greeters provide guests with masks (if guest needs one) that cover

<p>guest subject to identification check to briefly lower the mask to verify identity</p> <ul style="list-style-type: none"> • Guests should be discouraged from wearing hats and will be required to remove hat and briefly lower mask for identity check • Provide appropriate receptacles for disposal of PPE 	<p>mouth while in the gaming area except while drinking (no food allowed in gaming area)</p> <ul style="list-style-type: none"> • Signage at points of entry listing COVID-19 symptoms, travel to CDC Level 3 Warning country in past 14 days, close contact with confirmed case of COVID-19 in past 14 days, and asking guests not to enter if “YES” to any symptoms • Train employees to identify symptomatic individuals and develop procedures to implement further screening when so identified. Prohibit entry to symptomatic individuals • Consider performing non-touch temperature checks and prohibiting entry to anyone registering 100.4 degrees or above on two consecutive tests • Plan must provide for a safe location for guest subject to identification check to briefly lower the mask to verify identity • Guests should be discouraged from wearing hats and will be required to remove hat and briefly lower mask for identity check • Casino staff shall be present at entry points to ensure compliance with these Guidelines and the licensee’s Plan 	<p>the nose and mouth</p> <ul style="list-style-type: none"> • Require guests to wear masks that cover the nose and mouth while in the gaming area (no food or drink allowed in gaming area) • At points of entry, screen guests as follows: <ul style="list-style-type: none"> ○ Perform non-touch temperature checks and prohibit entry to anyone registering 100.4 degrees or above on two consecutive tests ○ Prohibit entry to any guest who answers in the affirmative (via a questionnaire) to any of the following screening questions <ul style="list-style-type: none"> - Close contact with a confirmed case of COVID-19 in the last 14 days? - Experiencing COVID-19 symptoms (list symptoms) - Travel to any CDC Level 3 Travel Warning country or in close contact with anyone who has traveled to those areas within the last 14 days? (List countries) • Plan must provide for a safe location for guest subject to identification check to briefly lower the mask to verify identity
--	--	---

		<ul style="list-style-type: none"> • Guests should be discouraged from wearing hats and will be required to remove hat and briefly lower mask for identity check • Casino staff shall be present at entry points to ensure compliance with these Guidelines and the licensee’s Plan • Develop and implement procedures to retain a telephone number of guests for possible contact tracing
<p>Occupancy Levels</p> <ul style="list-style-type: none"> • Total occupancy of the gaming area shall be limited to 50% of the occupancy level of the gaming area as established by the Commonwealth’s building code¹ • The licensee’s Plan shall detail how the licensee will accurately count guests and limit attendance per the occupancy limits and identify procedures to be implemented to prevent congregating and queue in a safe and orderly fashion while maintaining 6’ distancing if gaming area reaches capacity² 	<ul style="list-style-type: none"> • Total occupancy of the gaming area shall be limited to the number of available gaming positions (see sections below on Slots and Table Games) plus an additional 25% of gaming positions • The licensee’s Plan shall detail how the licensee will accurately count guests and limit attendance per the occupancy limits and identify procedures to be implemented (including queuing systems and an optional reservation system) to prevent congregating and maintain 6’ distancing if gaming area reaches capacity 	<ul style="list-style-type: none"> • Total occupancy of the gaming area shall be limited to the number of available gaming positions (see sections below on Slots and Table Games) plus an additional 10% of gaming positions • The licensee shall implement a timed reservation system and require guests to reserve and schedule their entry in advance • The licensee’s Plan shall detail how the licensee will accurately count guests and handle guests who arrive without reservations to prevent congregating and

¹ The occupancy capacity for the gaming area at each gaming establishment is as follows: PPC - 5,783; EBH – 16,991 (first and second floors); MGM – awaiting numbers).

² The 6’ distancing requirement does not apply to groups traveling together. Note that under current Guidelines from the Governor for Phase II opening of restaurants, the size of a party seated together at a restaurant cannot exceed 6 people.

		maintain 6' distancing
<p>Social Distancing - Slots³</p> <ul style="list-style-type: none"> • Promote social distancing of slots play by implementing 1 or more of the following (if less than 6', players must wear masks): <ul style="list-style-type: none"> ○ Install plexiglass⁴ between machines ○ Remove chairs from certain machines ○ Disable certain machines ○ Other measures as approved by the ED 	<ul style="list-style-type: none"> • <u>Slot gaming positions at PPC</u> are calculated at approx. 660 (out of 1,320), which allows for every other machine to be disabled • <u>Slot gaming positions at MGM</u> are calculated at approx. 884 (out of 1,768), which allows for every other machine to be disabled • <u>Slot gaming positions at EBH</u> are calculated at approx. 1,402 (out of 2,804), which allows for every other machine to be disabled • Slot machines required to be non-operating shall be disabled • At the player's request, slot jackpot payouts to be made via TTTO ticket or cash in an enclosed envelope 	<ul style="list-style-type: none"> • <u>Slot gaming positions at PPC</u> are calculated at approx. 440 (out of 1,320), which allows for two disabled machines between each operating machine. A six foot minimum distancing between slot machines allows for a total of approx. 385 slot positions • <u>Slot gaming positions at MGM</u> are calculated at approx. 589 (out of 1,768), which allows for two disabled machines between each operating machine • <u>Slot gaming positions at EBH</u> are calculated at approx. 935 (out of 2,804), which allows for two disabled machines between each operating machine • Slot machines required to be non-operating shall be disabled and their chairs shall be removed • Slot jackpot payouts to be made via TTTO ticket or cash in an enclosed envelope

³ Disabling every other slot machine results in a distance of approximately 4.5 feet between players.

⁴ Plexiglass may be substituted by a barrier made from some other comparable material.

<p>Cleaning & Sanitization – Slots</p> <ul style="list-style-type: none"> • Casino staff to sanitize operating slot machines and chairs frequently and at regular intervals • Sanitizing wipes to be readily available for guests wishing to wipe down slot machine and chair before using • Sanitizing solutions and sanitizing wipes to comply with CDC Guidelines for COVID-19 • A log to be maintained to track slot cleaning 	<ul style="list-style-type: none"> • Casino staff to sanitize operating slot machines and chairs once every four hours • Sanitizing wipes to be readily available for guests wishing to wipe down slot machine and chair before using • Sanitizing solutions and sanitizing wipes to comply with CDC Guidelines for COVID-19 • A log to be maintained to track slot cleaning 	<ul style="list-style-type: none"> • Casino staff to sanitize operating slot machines and chairs once every hour (or when player leaves) • Signage to remind players to sanitize slot machine and chair before using or to request that slot attendant do so • Sanitizing wipes to be readily available for guests wishing to wipe down slot machine and chair before using • Sanitizing solutions and sanitizing wipes to comply with CDC Guidelines for COVID-19 • A log to be maintained to track slot cleaning
<p>Social Distancing - TGs</p> <ul style="list-style-type: none"> • TGs shall be operated so as to maintain increased distance between players at each table (if less than 6', players must wear masks) • Staff shall monitor to ensure no congregating around the table in close proximity to the players • May install plexiglass between dealer and players • No poker until further notice 	<ul style="list-style-type: none"> • <u>Table game positions at MGMS</u> are calculated at approx. 264 (4 players maximum per table) • <u>Craps game positions at MGMS</u> are calculated at 15 (3 players maximum per dice game) • <u>Roulette game positions at MGMS</u> are calculated at 24 (3 players maximum per roulette table) • <u>Stadium game positions at MGMS</u> are calculated at 9 (3 players per row) 	<ul style="list-style-type: none"> • <u>Table game positions at MGMS</u> are calculated at approx. 198 (3 players maximum per table at table corners and center seat with other seats removed) • <u>Stadium game positions at MGMS</u> are calculated at 9 (3 players per row) • <u>Table game positions at EBH</u> are calculated at approx. 459 (3 players maximum per table at table corners and center seat with other seats removed)

	<ul style="list-style-type: none"> • <u>Table game positions at EBH</u> are calculated at approx. 612 (4 players maximum per table) • <u>Dice game positions at EBH</u> are calculated at 21 (3 players maximum per dice game) • <u>Roulette game positions at EBH</u> are calculated at 42 (3 players maximum per roulette table) • <u>Electronic table game positions at EBH</u> are calculated at 20 (every other position disabled) • Install protective plexiglass between dealer and players • Install protective plexiglass between player positions where feasible • No poker until further notice • Staff shall monitor to ensure no congregating around the table in close proximity to the players 	<ul style="list-style-type: none"> • <u>Electronic table game positions at EBH</u> are calculated at 13 (two positions disabled between each activated position) • Install protective plexiglass between dealer and players • Install protective plexiglass between player positions • No poker until further notice • No craps or roulette until further notice • Staff shall monitor to ensure no congregating around the table in close proximity to the players
<p>Cleaning & Sanitization – TGs</p> <ul style="list-style-type: none"> • Guests will be encouraged to use hand sanitizer prior to start of play • May use alternative procedures to minimize touching of cards and chips by players • Develop protocol for chip sanitization on a daily basis 	<ul style="list-style-type: none"> • Guests will be required to use hand sanitizer prior to start of play • Limit the touching of cards and chips by players to the extent possible • Develop protocol for chip sanitization on a daily basis 	<ul style="list-style-type: none"> • Guests will be required to use hand sanitizer prior to start of play • Sanitize chair and table rails when player leaves game • Limit the touching of cards and chips by players to the extent possible

<ul style="list-style-type: none"> • Develop protocol to replace or sanitize cards based on volume and frequency of play • Increase the frequency of cleaning and sanitization of all gaming equipment and devices with a focus on high touch areas • Make hand sanitizer and sanitizing wipes with corresponding signage available to guests in each gaming pit 	<ul style="list-style-type: none"> • Develop protocol to replace or sanitize cards based on volume and frequency of play • Increase the frequency of cleaning and sanitization of all gaming equipment and devices with a focus on high touch areas • Make hand sanitizer and sanitizing wipes with corresponding signage available to guests in each gaming pit • Sanitize dice after each shooter 	<ul style="list-style-type: none"> • Develop protocol to sanitize chips every 2 hours • Sanitize or replace cards with each new dealer • Increase the frequency of cleaning and sanitization of all gaming equipment and devices with a focus on high touch areas • Make hand sanitizer and sanitizing wipes with corresponding signage available to guests in each gaming pit • Sanitize dice after each shooter
<p>Cage</p> <ul style="list-style-type: none"> • Promote social distancing at cage by one or more of the following: <ul style="list-style-type: none"> ○ Install protective plexiglass partitions between guests and cage employees ○ Install protective plexiglass partitions between cage windows ○ Close alternating cage windows for distancing between windows ○ Other methods as approved by the ED • Disinfect counters and touch screens frequently • Make hand sanitizer available near cage area • Implement protocols to maintain 6’ social distancing for queuing and interactions in 	<ul style="list-style-type: none"> • Install protective plexiglass partitions at cage locations between guests and cage employees • Close alternating cage windows or install protective plexiglass between cage windows for social distancing • Cash to be provided to guests in enclosed envelopes upon request • Disinfect counters and touch screens hourly • Make hand sanitizer available near cage area • Implement protocols to maintain 6’ social distancing for queuing and interactions in cage area, with conspicuous explanatory signage and spacing marked on the floor 	<ul style="list-style-type: none"> • Install protective plexiglass partitions at cage locations between guests and cage employees • Close alternating cage windows or install protective plexiglass between cage windows • Cash to be provided to guests in enclosed envelopes • Disinfect counters and touch screens hourly Make hand sanitizer available near cage area • Implement protocols to maintain 6’ social distancing for queuing and interactions in cage area, with conspicuous explanatory signage and spacing marked on the floor

cage area, with conspicuous explanatory signage and spacing marked on the floor		
---	--	--

Additional Measures for the Gaming Area

- Sanitization and disinfecting products as well as hand sanitizer (touchless where possible) to be made available at each point of entry and exit and throughout the gaming area for usage by guests at their discretion.
- Enhanced cleaning and sanitization throughout the gaming area with staff deployed regularly to clean and disinfect restrooms and high touch point locations.
- Signage at each point of entry and at prominent locations throughout the gaming area to remind guest of safe practices including frequent hand washing, use of hand sanitizer, proper wearing or masks, and to stay home if sick.
- In areas where lines normally form or are expected to form (inside or outside), signage combined with other methods, including an appropriate level of staffing, to remind guests to remain 6’ apart.
- Casino staff to implement and monitor procedures for elevators, escalators, and stairs to ensure social distancing.
- Provide appropriate receptacles for disposal of PPE.
- No promotions or activities that challenge the ability to maintain 6’ social distancing.
- No valet service until further notice.
- Each licensee’s Plan shall detail procedures for dealing with guests who are noncompliant with the required COVID-19 related health and safety protocols.
- Each licensee’s Plan to outline measures to ensure air quality, including possible filtration upgrade to increase fresh air, and ongoing inspections and maintenance of HVAC systems.
- Each licensee’s Plan to identify anticipated supplies needed to stop furthering the spread of COVID-19 and measures to ensure the availability of supplies Each licensee’s Plan to detail procedures for managing guests with fevers above 100.4 degrees and/or who exhibit other symptoms of COVID-19 (maintain supply of non-touch thermometers for this purpose).
- Each licensee to designate (and identify for the MGC) a Key-level employee to act as liaison to federal, state, and local public health agencies. This liaison – the Pandemic Safety Officer for the licensee - shall be responsible for notifying the local Board of Health, as well as the MGC, if the licensee is alerted to a COVID-19 positive case on the premises of the GE, and to assist with data sharing and identification of individuals for contact tracing purposes. The Pandemic Safety Officer may designate one or more other staff to ensure responsiveness to the requests of public health authorities on a 24/7 basis. The Pandemic Safety Officer shall work in conjunction with

the Compliance Department and provide the Compliance Department with a log of all material communications with public health related to COVID-19 at the gaming establishment.

- Each licensee to obtain and follow legal advice to ensure appropriate safeguards put in place for any HIPAA-protected material.
- Each licensee's Plan to include protocols to be implemented if the licensee is alerted to a COVID-19 positive case on the premises of the GE, including a deep cleaning of affected areas.

Additional Measures Pertaining To GameSense Areas

- Each licensee shall install protective plexiglass barriers of the GameSense counters with an opening at the bottom to enable items to be slid underneath
- Each licensee shall place markings and/or queuing devices at appropriate locations to assist with maintaining social distancing at and around GameSense Centers
- Each licensee shall educate casino staff, including security personnel, that the GameSense Centers are reserved for GameSense related activity (except in an emergency)

Additional Employee-Related Measures

- As businesses and employers in the Commonwealth, each licensee must follow all guidelines and protocols for businesses and employers issued by the CDC, DPH, the Governor's office (including any sector-specific protocols and best practices), and the guidelines set by the MGC.
- Licensees must provide employees with COVID-19 training which provides an overview of COVID-19 mitigation protocols, including proper use and disposal of PPE and recognition of COVID-19 symptoms.
- Licensees shall identify the Pandemic Safety Officer to all employees. Licensees shall encourage any employee who has a COVID-19 related concern to report it to the Pandemic Safety Officer through a process implemented by the licensee.
- At each employee entrance, employees may be required to undergo a temperature check.
- At each employee entrance, the licensee shall place markings and/or queuing devices to maintain social distancing of employees reporting to work. At each employee entrance, the licensee shall post signs setting forth a checklist of COVID-19 symptoms and instructing employees to remain at home if they experience any of the symptoms.

- Signage shall be placed in back-of-the house areas reminding employees to follow CDC and DPH guidelines for handwashing, using sanitizers, wearing masks, and staying home if sick.
- The licensee also shall establish protocols to maintain social distancing of employees in dining areas, uniform control areas, shared office spaces, and other high density employee areas.
- Rolling periodic announcements in back-of the house areas shall remind employees of COVID-19 protocols.
- Employees shall wear masks while performing their work duties. The licensee shall provide masks for all employees.
- Break schedules and shift times shall be staggered to the extent possible to avoid congregating in back-of-the-house areas.
- Employee meetings shall be accomplished in a manner to promote social distancing.
- Employees shall be encouraged to wash and/or sanitize hands frequently and may use front-of-the-house restrooms to facilitate such.
- All back-of-the-house areas shall be cleaned frequently, including but not limited to employee entrances, locker rooms, dining areas, security and surveillance areas, count rooms, cage areas, and routes of travel between those areas, with specific attention given to high touch areas.