



Subcommittee on Addiction Services Meeting Minutes

August 9, 2022

PRESENT: Mark Vander Linden, Chair
Victor Ortiz
Rodolfo Vega (Rudy)
Marlene Warner
Yoyo Yau

OTHER: Crystal Beauchemin

1:05 a.m. Call to Order and Approval of Minutes

Chair Vander Linden called to order the meeting of the Gaming Policy Advisory Committee's Subcommittee on Addiction Services and took roll call, determining there was a quorum being all members were present.

A motion was made to approve the minutes from the May 20, 2022 meeting and seconded. A roll call showed all in favor.

1:08 a.m. Third Party Exclusion, Discussion and Next Steps

Chair Vander Linden read the specific requirement to be addressed by the subcommittee- section 45 of Ch23K- Regulation and procedure for the exclusion and self-exclusion of persons from gaming establishments- regarding the various types of exclusion programs the Gaming Commission is required to implement. The focus for today, and for this subcommittee, is the third party exclusion. Chair Vander Linden read the statute.

Section 45.i An immediate family member or guardian may petition, in writing, a district court for an order of exclusion from gaming establishments applicable to a person whom the petitioner has reason to believe is a problem gambler. Upon receipt of a petition for an order of exclusion of a person and any sworn statements the court may request from the petitioner, the court shall immediately schedule a hearing on the petition and shall cause a summons and a copy of the petition to be served upon the person as provided in section 25 of chapter 276. The person may be represented by legal counsel and may present independent expert or other testimony. The court shall order examination by a qualified psychologist. If after a hearing the court based upon competent testimony finds that the person is a problem gambler and there is a likelihood of serious harm as a result of the person's gambling, the court may order that such person be prohibited from gaming in gaming establishments. The court shall communicate this order to the commission, which shall place the person's name on the list of excluded persons.

Mr. Vander Linden recapped the previous meeting, stating the subcommittee had heard from Judith Glynn, a consultant to commission, who has done research in other jurisdictions and implemented a similar program. Long Banh had also provided research on related statutes or laws such as substance abuse and mental health to see if a model path forward might advise such an exclusion program for the MGC.

Ms. Warner stated it was helpful to get more background. Given her team runs the onsite Game Sense program, there are still considerations for trying to figure out how to help family members. Ms. Warner thinks the courts are most extreme route, but does feel it is important to build in steps as an intermediate route to this exemption level.

Chair Vander Linden agreed that there are related efforts that go above and beyond what is required but reiterated that it's his top priority as MGC staff to implement this to the extent that there is such control to do so. At the very least, there's a requirement to have the base in place. Ms. Warner agreed.

Mr. Vega also identified that there should be other steps before getting to that very extreme level, requesting to explore ways in which other steps would be involved before including the legal system.

Ms. Yau felt that most populations might not take action on the family end, being worried about betrayal and family shame. She agreed it should be a very last resource. She'd like to consider building an educational and empowerment/awareness option that families could turn to when they are dealing with addiction.

Mr. Ortiz stated that while the MGC is obligated to implement this because it's statute, he felt they have the ability to interpret this. Mr. Vander Linden reminded him it was up to the Commission to have any other interpretation.

Mr. Ortiz stated concerns about the reach and effectiveness of such an exclusion list, especially if the family gets to determine this is an option they have. He mentioned that there are no residential programs for problem gamblers and stated that it is known that involving families early on in treatment shows better outcomes. He proposed that there could be an opportunity within the Voluntary Self Exclusion (VSE) structure to help incorporate families and navigate treatments, perhaps expansion within the VSE existing program to add that support. He wondered how the program is currently engaging family members, and stated he was equally concerned about elevating racial equity in this perspective, given communities of color are highly policed in regard to criminal justice systems and that people of color are disproportionately impacted by gambling.

Mr. Vander Linden posed to the subcommittee what the conduits between VSE and third party exclusion might be, with Mr. Ortiz responding that family support is universally the same; education/awareness, and individual counseling; and more was needed.

Ms. Warned added that she would guess the number of family members in treatment for this is very low because it's an especially heavy financial burden. She noted that GAMANON meetings for family members are very low across commonwealth. She acknowledged a point Mr. Vander Linden made that family members can reach out for free legal services and financial services, but referred to that as "Catch

as catch can.” She also added that there are programs in other states directly for family members, but MA doesn’t have that.

Mr. Vega stated that gambling addiction is usually accompanied by other mental health issues and addictions, which is important for building and integrating into such a system. He referred to family level intervention programs within the mental health system.

Mr. Ortiz offered that there are efforts in the prevention space, but that capacity needed to be built in the intervention space. Acknowledging, Ms. Warner’s comments, he agreed that there needs to be better communication of programs and awareness for the public, highlighting family connectors and assistance opportunities. Ms. Yau agreed that it was important to increase outreach and an organization’s capacity to serve such needs. She added that most individuals don’t want to be referred out from programs and systems they’re part of, so capacity-building needed to be added to existing infrastructure.

Mr. Vander Linden summarized that the concept was to add a step between the VSE and third party exclusion. The group would now need to reframe a recommendation to the GPAC and to MGC to incorporate building capacity and ensuring the resources are available. He reminded the subcommittee members that there is now an even greater call to service due to the mobile sports wagering component.

1:40 p.m. The subcommittee had a discussion about the potential of pulling together numbers of family members who reach out or look for help, even if it was a best estimate. Ms. Warner mentioned that the Recovery Advisory Board may be a helpful resource. The group determined ways to pull together a report of the services available, touch points in the system and government programs, and any opportunities for expansion.

A poll of the subcommittee members was taken to ensure there was agreement and everyone felt a range of options should be available to family members before the third party exclusion would be offered.

The subcommittee determined individual assignments which would be beneficial to pull together prior to the next meeting and discuss then, moving forward with developing a recommendation for this third part exclusion list. Mr. Vander Linden stated that at the next meeting, the subcommittee could put together a memo with concrete ideas about where to expand capacity before submitting for consideration.

Specific assignments;

- 1) Dr. Vega will provide a historical context of how families are impacted by problem gambling
- 2) Ms. Yau will provide a case example or overview of how BCNC helps families
- 3) Ms. Warner will provide a description of how families are supported through GameSense – primarily at the casino
- 4) Mr. Ortiz will provide an environmental scan of what services are available in the community to help family members of persons with gambling problems
- 5) Mr. Vander Linden will provide steps to fulfil requirements of fulfilling Sect. 45

2:13 pm. Sports Wagering Update

Mr. Vander Linden announced that the sports wagering bill was passed by the legislature and was now waiting with the Governor as of Aug 1st, with the Senate and House having reconciled a bill in committee. He noted that Research and Responsible Gaming had been a piece that the MGC has sent feedback on. He noted that there was a research agenda component included in the final bill, with an annual assessment

in addition to a percentage of the tax revenue; recognizing there will need to be additional efforts in the area of sports wagering.

Mr. Vander Linden added that there is much to consider given the amount of licenses allotted for online sports wagering, and the mobile factor, while also having retail sports wagering locations. It is an expansion of how you may gamble, but also who may gamble. He stated that the legislation calls for a study of its impacts on the community and society, as well as thinking about bars and restaurants, with kiosks.

2:19 p.m. Subcommittee Member Updates

No updates from subcommittee members were offered.

2:20 p.m. Meeting Adjourned

The subcommittee discussed intending to plan the next meeting for a date in September.

A motion was made to adjourn and seconded. Roll call showed all voted in favor.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda
2. Meeting Minutes from May 20, 2022
3. Memo from Mark Vander Linden re: Third Party Exclusion (May 17, 2022)
4. Presentation from Judith Glynn, titled *Third Party Exclusion to Address Harm to Families & Affected Others* (PPT)