

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/CS/SB 962

SPONSOR: Committee on Children and Families and Senator Campbell

SUBJECT: Compulsive Gambling

DATE: April 20, 1999 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Barnes</u>	<u>Whiddon</u>	<u>CF</u>	<u>Favorable/CS</u>
2.	<u>Martin</u>	<u>Guthrie</u>	<u>RI</u>	<u>Favorable/CS</u>
3.	_____	_____	<u>FP</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

## I. Summary:

This bill establishes, within resources specifically appropriated for this purpose, a compulsive gambling program in the Alcohol, Drug Abuse, and Mental Health Program Office in the Department of Children and Family Services (department) for public education, awareness, training, prevention, and treatment regarding problem and compulsive gambling. The bill requires that the department establish and contract for statewide telephone information and referral services for problem and compulsive gambling to be provided by an advocacy organization.

The bill mandates the publication of the following statement on signs to be posted and conspicuously displayed at lottery retail locations and in pari-mutuel and bingo facilities in areas accessible to the public: "IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM HELP IS AVAILABLE. CALL (the number provided by the Alcohol, Drug Abuse, and Mental Health Program Office within the Department of Children and Family Services)."

This bill substantially amends the following sections of Florida Statutes: ss. 24.105, 24.112, 550.054, and 894.0931.

## II. Present Situation:

Pathological gambling is described in the *Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition*, published by the American Psychiatric Association, as an impulse control disorder resulting in a progressive failure to resist impulses to gamble to the extent that it becomes harmful to the person and to other persons and compromises, disrupts, or damages personal, family, or vocational pursuits. Characteristic problems associated with pathological gambling behavior include extensive indebtedness, default on debts and other financial responsibilities, disrupted family relationships, inattention to work, and commission of illegal acts to pay for gambling.

Currently, a person with a gambling problem or with a compulsive gambling disorder may seek services from a mental health professional that are paid from either private insurance benefits or

personal income. Representatives of the Department of Insurance say that private insurance coverage for treating persons with a compulsive gambling disorder is seldom available. According to the Alcohol, Drug Abuse and Mental Health Program Office of the department, very few if any public mental health or substance abuse providers have funds to serve persons who are diagnosed with a compulsive gambling disorder only. Persons with compulsive gambling problems are not considered to be a priority group to receive public mental health or substance abuse services specified in s. 394.75(4), F.S., unless the person also suffers with an acute or chronic mental illness defined in s. 394.455(18), F.S., or a serious substance abuse problem specified in s. 397.311(16), F.S.

The National Council on Problem Gambling, Inc., was established in 1972 to support research, public education, training, referral, and model program development to further the understanding and treatment of persons and families suffering from a serious gambling disorder. The Florida Council on Compulsive Gambling, Inc., established and incorporated in 1988, is a non-profit organization and an affiliate of the National Council on Problem Gambling. It provides the following functions: 1) operates (since 1992) a referral hotline for compulsive gamblers and other interested persons or groups, 2) gathers statistics relating to problem gambling, 3) educates the public on the problems associated with gambling by developing and distributing printed material, as well as providing speakers and workshops to interested groups and organizations, and 4) facilitates training for professionals and encourages treatment programs in Florida.

The department has no data to reasonably estimate the number of persons who have a problem with gambling or who have been diagnosed by a mental health professional or substance abuse professional as having a compulsive gambling disorder.

### III. Effect of Proposed Changes:

**Section 1** establishes, within resources specifically appropriated for this purpose, a compulsive gambling program in the Alcohol, Drug Abuse and Mental Health Program Office in the Department of Children and Family Services to address public education, awareness, training, prevention, and treatment of problem and compulsive gambling, and pursuant to s. 20.19(17), F.S. The program will be exempt from the competitive bidding requirements in ch. 287, F.S., consistent with s. 20.19(17), F.S. The bill specifies the components of the program, including:

- maintenance, by way of a contract with a compulsive gambling advocacy organization, of a toll-free telephone number that provides counseling referral services to families experiencing difficulties as a result of problem or compulsive gambling, and
- conducting studies to identify adults and juveniles in Florida who are at risk of becoming problem or compulsive gamblers.

**Section 2** amends s. 24.105, F.S., to require that appropriate personnel and retailers of the Department of the Lottery, as determined by the department, are required to receive training and education by an advocacy organization for problem and compulsive gambling. Many personnel and vendors of the Department of the Lottery do not come into contact with the general public and would not require training and education.

**Section 3** amends s. 24.112(6), F.S., requiring every lottery retailer to post the following statement in a conspicuous location on the premises: "IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP IS AVAILABLE. CALL (the number provided by the compulsive gambling program)". This sign must be posted in a location near the lottery play station or check-out counter where instant or on-line lottery tickets are purchased.

**Section 4** amends s. 550.054, F.S., requiring each pari-mutuel permitholder to post the above statement on signs within 50 feet of each entrance commonly used by the public for access and within 50 feet of each credit location within the pari-mutuel facility. Each permitholder must print the statement on all racing programs provided by the permitholder or its lessees to the general public.

**Section 5** amends s. 849.0931, F.S., requiring each organization conducting bingo that is open to the public to post the above statement on signs within 50 feet of each entrance commonly used for access by the general public.

**Section 6** provides an effective date of July 1, 1999.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

This program, if implemented with an appropriation, could save money for those private citizens who use personal funds to obtain treatment for problems associated with compulsive gambling. Retailers of lottery tickets are required to train their personnel on problem and compulsive gambling. These retailers, pari-mutuel facilities, and bingo facilities are required to post signs providing information for assistance for these problems. According to the Department of the Lottery, there is a cost to these retailers but the amount is unknown.

**C. Government Sector Impact:**

The department reports that in addition to resources specifically appropriated for the program, \$145,410 would be needed in FY 1999-2000 for expenses and three management positions in the Alcohol, Drug Abuse, and Mental Health Program Office to implement the provisions of this bill.

The department has no data to reasonably estimate the number of persons who have a problem with gambling or who have been diagnosed by a mental health professional or substance abuse professional as having a compulsive gambling disorder.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

This bill is a companion to HB 707.

**VIII. Amendments:**

None.