

24 NCAC 06A .0607 LIMITATIONS ON USE OF EXCLUDED PERSON'S DATA AND PERSONAL INFORMATION

(a) Personal Information furnished to or obtained by the Commission pursuant to rules pertaining to the Voluntary Exclusion Program shall be deemed confidential and not be disclosed unless necessary to implement the Exclusion of Voluntarily Excluded Persons and Involuntarily Excluded Persons, or except in accordance with this Chapter, as required by law, or required by a validly issued court order.

- (1) The Commission or Director may release periodically to the public demographics and general information regarding Voluntarily Excluded Persons and Involuntarily Excluded Persons, such as the total number of Persons on the list and anonymized, aggregate demographic information.
- (2) The Commission or Director may make selected data available, upon request, for the limited purpose of assisting in the proper administration and enhancement of problem gambling treatment or responsible gaming programs.

(b) Any Responsible Party, its employees, or agents that receive any information pursuant to G.S. 18C-922 shall use such information solely for the purpose of the exclusion of Voluntarily Excluded Persons and Involuntarily Excluded Persons, and not for any commercial purpose.

(c) The names and Personal Information of Voluntarily Excluded Persons and Involuntarily Excluded Persons shall not be subject to disclosure under the North Carolina Public Records Law, G.S. 132-1.

(d) Except as provided in these Rules, no employee or agent of the Commission or any Operator, Service Provider, Supplier, or third-party contractor affiliated with any of the previous parties shall disclose the name of or any information about any Voluntarily Excluded Persons and Involuntarily Excluded Persons to anyone other than authorized employees and agents whose duties and functions require access to such information.

(e) It shall be permissible for an Operator, or an employee or agent thereof, to disclose the names of Voluntarily Excluded Persons and Involuntarily Excluded Persons to a Service Provider or Supplier for the purpose of enabling such Service Provider or Supplier, or third-party contractor affiliated with any of the previous parties to properly administer the lists or to remove the excluded Persons from a targeted or personalized mail, advertising or promotion, marketing, or event notifications to be made by or on the behalf of the Operator.

- (1) The entity to whom such names are disclosed shall be prohibited from distributing or disclosing the names to the public or to any other party and shall be required to ensure the names are not disclosed.
- (2) A Service Provider or Supplier, or third-party contractor affiliated with any of the previous parties that obtains the names of Voluntarily Excluded Persons and Involuntarily Excluded Persons from an Operator shall be permitted to use the list solely to exclude names or addresses from a marketing campaign on behalf of the Operator. Such company may not use the names for any other type of marketing or for any other purpose whatsoever.

*History Note: Authority G.S. 18C-114(a)(14);
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