

9585.0040 GAMBLING ASSESSORS; QUALIFICATIONS AND RESPONSIBILITIES.

Subpart 1. **Gambling assessors; identified on department list.** Before an individual's name is placed on the department's list of qualified gambling assessors, the individual must provide the department the following information:

A. the individual's name, mailing address, telephone number, and geographic area the individual serves;

B. a statement indicating whether the individual has a direct or shared financial interest or referral relationship resulting in shared financial gain with a treatment provider and, if so, the name of the treatment provider;

C. documentation that the individual has successfully completed 60 hours of gambling specific training in the following areas:

(1) the history and social impact of gambling in Minnesota and the United States, including the effects of compulsive gambling on the individual, families, interpersonal relationships, and legal, vocational, financial ramifications of compulsive gambling;

(2) current research on problem and compulsive gambling conducted in Minnesota, nationally and internationally;

(3) theories about the psychosocial dynamics of addictions and the currently accepted treatment approaches;

(4) the role of self-help groups, including Gamblers Anonymous and GamAnon, in supporting the recovery process; and

(5) treatment skills and competency training in:

(a) screening, assessment, and diagnosis;

(b) development of written treatment plans, including referrals for psychological testing, financial counseling, family counseling, legal counseling, and medical attention;

(c) implementation of treatment plans that incorporate psychological, family, physical, vocational, financial, and spiritual needs;

(d) development of written plans for aftercare services; and

(e) monitoring and evaluating the effectiveness of treatment plans and aftercare services.

Documentation that an individual has successfully completed a 60-hour training program provided by or under contract with the department or recognized by the National Gambling Counselor Certification Board meets the requirements under this item; and

D. documentation that the individual is qualified as a:

- (1) mental health professional under Minnesota Statutes, section 245.462, subdivision 18;
- (2) mental health practitioner under Minnesota Statutes, section 245.462, subdivision 17;
- (3) chemical dependency counselor under part 9530.4270, subpart 5;
- (4) chemical use assessor under part 9530.6615, subpart 2; or
- (5) gambling counselor certified by the National Gambling Counselor Certification Board.

Subp. 2. **Compulsive gambling assessment.** The gambling assessor shall evaluate the offender's gambling behavior and the consequences that gambling has had on personal, family, and vocational pursuits. Areas that must be addressed in the gambling assessment are:

A. the nature and history of the offender's gambling behavior;

B. the impact that gambling has had on the offender's:

- (1) family relationships;
- (2) social relationships;
- (3) employment;
- (4) educational pursuits, if appropriate;
- (5) level of indebtedness; and
- (6) ability to recognize and resolve problems;

C. the use of drugs or alcohol; and

D. the offender's emotional state relative to depression, suicide ideation, and suicide attempts.

Subp. 3. **Method of assessment.** The method of assessment must include a personal interview with the offender to evaluate the offender's gambling behavior. It must also include collateral contacts consistent with confidentiality and data privacy provisions in Minnesota Statutes, chapter 13. If a gambling assessor is unable to make collateral contacts, the gambling assessor must include an explanation of why collateral contacts were not made.

Subp. 4. **Compulsive gambling determination; incorporation by reference.** The determination of compulsive gambling must meet the conditions of pathological gambling under code 312.31 in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, DSM-III-R which is incorporated by reference. The standard appears in the "Diagnostic and Statistical Manual of Mental Disorders, Third Edition, Revised, (DSM-III-R)," published by the American Psychiatric Association (Washington, D.C., 1987). The standard is not subject to frequent change. The book is available from the Department of Human Services library through the Minitex interlibrary loan system.

Subp. 5. **Treatment recommendation.** If compulsive gambling contributed to the commission of the offense and the gambling assessor concludes that the offender is in need of treatment, the report required under subpart 7 must include the recommended treatment for the offender.

Subp. 6. **Additional requirements when treatment recommendation involves direct or shared financial gain.** If the gambling assessor has a direct or shared financial interest or referral relationship resulting in shared financial gain with the treatment provider or program recommended, the gambling assessor must:

A. indicate in the recommendation that the gambling assessor has a direct or shared financial interest resulting in a shared financial gain with the treatment provider or program;

B. document why the recommended treatment is the preferred treatment option; and

C. identify a treatment provider or program that provides treatment services similar to those recommended by the gambling assessor in which the gambling assessor does not have a direct or shared financial interest.

Subp. 7. **Written report; distribution.** The gambling assessor must prepare a written report that includes the information required under subpart 2 and shall indicate whether or not the offender is a compulsive gambler. If the offender is a compulsive gambler and the gambling assessor concludes that the offender is in need of treatment, the report must also include the recommended treatment and, if appropriate, the information required under subpart 6. A copy of the written report must be sent to the probation officer who made the appointment with the gambling assessor.

Statutory Authority: *MS s 245.98*

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