



INDUSTRY MATTERS

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UPDATE ON CONTINUITY OF COMMISSION OPERATIONS AND PARTICIPATION IN PUBLIC MEETINGS

The novel coronavirus (COVID-19) is requiring everyone to adjust their "normal" routines. The California Gambling Control Commission is also adjusting its normal office procedures in the best interest of our employees, stakeholders, and the public in general. On March 19, the Commission closed its office to the public; however, at this time, all Commission mandates and services will continue to be met.

As of March 16, all Commission staff have been provided the opportunity of a telework arrangement with secured access to all necessary data. This means, at this time, all services previously handled by the Commission will continue.

At this time, the Commission's Licensing Meetings will continue, as necessary; however, we have significantly modified our format temporarily to address only those items requiring immediate action by the Commission or extending those items that can be extended for a future meeting. As provided in [Executive Order N-29-20](#), for the time being, the Commission's public meetings will be conducted completely via teleconferencing. Commissioners will participate in all public meetings via teleconferencing for the time being. The Commission's hearing room will NOT be open to the public until further notice.

Therefore, the Commission will also suspend its live streaming until in-person public meetings resume. Any meeting participants or members of the public wishing to participate in a public meeting conducted by the Commission can still participate through either [teleconferencing](#) and/or providing public comments via email at comments@cgcc.ca.gov. Any public comments received via email will be read into the record at the meeting. The audio recording of each public meeting held by the Commission will continue to be posted on the [Commission's website](#) within the same day as the hearing. (cont. on Page 2)

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CGCC Calendar

Upcoming Licensing Meetings (Meeting Dates Tentative)

- April 16*
- April 30*
- May 14*
- May 28*
- June 11*
- June 25*

Upcoming State Holidays (Office Closed)

- May 25*
(Memorial Day)

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CGCC OPERATIONS CONTINUED....

The Commission is committed to continuing to provide the best possible service to our stakeholders, and you will continue to receive it during this time. Commission staff members are fully capable of assisting you over the phone or via email as usual. As a reminder of how to reach Commission staff:

For licensing matters, such as a pending application, contact the Deputy Director of the Licensing Division, Adrianna Alcala-Beshara, at aalcalabeshara@cgcc.ca.gov.

For a pending evidentiary hearing before the Commission, contact the Presiding Officer identified in your Notice of Hearing, or the Administrative Hearings Coordinator, Pam Mathauser, at pmathauser@cgcc.ca.gov.

For media inquiries, contact Public Relations Officer Fred Castano at fcastano@cgcc.ca.gov or on his work cell phone at 916-708-5231.

For general information, call our main line at (916) 263-0700 or email comments@cgcc.ca.gov.

For the latest information regarding the Commission's operations or its public meetings, please continue to check our website and sign up to receive email notifications [here](#).

HAIL AND FAREWELL

We're excited to announce that Adrianna Alcala-Beshara has moved just down the hall from the Licensing Division to become the Deputy Director of Legislative and Regulatory Affairs! Adrianna has been an incredible Deputy Director of Licensing for the past three years and there's no doubt she'll also excel in her new position. Adrianna has already hit the ground running and is looking forward to engaging our stakeholders in her new role.

The Commission welcomes Dolores Olivarez as the new Deputy Director of the Licensing Division! Dolores comes to us from the Prison Industry Authority, where she was the Operations Manager of the Healthcare Facilities Maintenance Program, and brings over 10 years of state government experience in various roles within healthcare administration, operations, licensing, and certification.

We'd also like to welcome Yasmin Dominguez to the Licensing Division! Yasmin is a seasonal clerk and started with us on March 11, and is working on updating the Commission's licensing records.

We bid farewell to Trish Lee, a seasonal clerk from the Licensing Division, who accepted a permanent position with the Department of Motor Vehicles. Her positive attitude and incredible cooking will be missed!

KEY CHANGES MADE TO HEARING REGULATIONS—HERE'S HOW THEY AFFECT YOU

By Jason Pope
Staff Counsel



The Commission recently updated its evidentiary hearings regulations, which make several significant changes to how evidentiary hearings are conducted. This article informs stakeholders about some of the key changes. However, we recommend reading [the updated regulations on the Commission's website](#) to learn more, including many minor changes not addressed here.

Note: All sections cited below are from California Code of Regulations, Title 4, Division 18.

Notices of Defense and Default Decisions

Following the referral of an application to a Gambling Control Act (GCA) hearing, the Commission's licensing division sends an evidentiary hearing referral letter with a blank Notice of Defense (NOD) form to the applicant. Applicants are now required to return the NOD form requesting a hearing within 21 days of the Commission sending it to the applicant. If an applicant does not send the NOD back promptly, the Commission may deny the application via a default decision. This change goes hand-in-hand with the new Section 12057, which states that default hearings can be conducted more quickly than in the past. Rather than providing up to 90 days of notice for a typical GCA hearing, a hearing on a default can be heard very quickly.

Designated Agents and Lay Representatives

These regulations clarify the role of Designated Agents (DA) in the application process. For instance, Section 12012(d)(3) makes clear that an applicant's DA is still bound by the same limitations on ex parte communication. Ex parte communication is, essentially, trying to communicate with the Commissioners on the substance of an application while it is pending before an evidentiary hearing without the Bureau being aware of the communication.

Additionally, a DA may now request the withdrawal of an application on an applicant's behalf under Section 12015, and may provide information regarding possible abandonment of an application under Section 12017. Lastly, DAs and other lay representatives may assist applicants in GCA hearings, but they cannot serve as attorneys under CCR Section 12060(j).

Communication by Email

Section 12006 sets out how the Commission provides official notice. These regulations modified the requirement to allow notice to be sent either through mail, registered mail, or certified mail. Section 12006(b) has also been added to allow individuals to inform the Commission that they would like to receive notices exclusively through email. This is a helpful and cost-saving feature we hope many will take advantage of.

Interim Renewal Licenses

When the Commission refers a renewal application to an evidentiary hearing, the applicant is given an interim renewal license for the duration of the hearing process. These regulations overhaul the process for obtaining new interim renewal licenses. Section 12035(b) now makes clear that when a hearing has not been, or will not be, concluded during the term of the interim renewal license, the applicant will need to submit new information, just as if they were applying for a renewal of that same license pending a hearing. This includes the same forms, costs, etc.

In addition, the applicant will need to explain to the Commission the delay in proceeding to a hearing. The Commission may decide to set the hearing, or retract a previously-made referral to an Administrative Procedures Act hearing and refer it to a GCA hearing instead.



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OFFICE OF PROBLEM GAMBLING UPDATES COMMISSION ON SUMMIT AND LATEST NEWS

On March 12, the Chief of the Office of Problem Gambling (OPG), Cyndi Maivia, updated the Commissioners at our regular Thursday meeting on the latest developments at the Office of Problem Gambling.

On March 2-3, OPG held its annual Problem Gambling Summit in San Diego, which had 220 attendees, including CGCC staff. The theme of the summit was "Focus on Wellness," as OPG works to integrate problem gambling treatment with people's overall health. This includes adding information into OPG's messaging and training about the impacts problem gambling can have on health.

Ms. Maivia reported that hypertension, diabetes, anxiety, and depression were the highest co-occurring health issues they have found in problem gamblers in their treatment programs, in addition to elevated substance abuse issues with alcohol, tobacco, cannabis, and opiates.

Treatment providers gather information from individuals who enroll in their programs, and track their progress throughout the duration of their enrollment. Ms. Maivia reported that in their annual treatment summaries of their participants, they have noted that their life satisfaction goes up, and their urge to gamble and stress levels go down.

At the summit, there were classes that addressed vulnerable populations, including the Latinx community and veterans. On March 3, the keynote speakers were Glenn David Osowski, a veteran in recovery, and his wife, Dr. Amy E. Bixler, a therapist. Mr. Osowski and Dr. Bixler discussed the unique risks and treatment and recovery needs of service members and their family members coping with a gambling disorder. Mr. Osowski is now an International Certified Gambling Counselor.

Ms. Maivia also announced that OPG's Health Education Program is now fully staffed, and introduced new staff members Clark Marshall, Lilibeth Campos, and Ruben Robles. The Commission welcomes them, and applauds OPG's continuously excellent work!

Comments, suggestions, questions, or ideas for future articles or newsletter topics are always accepted and can be submitted directly to the Commission at the address above or by emailing them to fcastano@cgcc.ca.gov.



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HEARING RESULTS

*(Decisions Effective January 1 –
 March 31)*

Owner-Licensee State Gambling License

- Golden Pacific Management Group, LLC, denied March 12
- Sau Cung Phong, Inc. dba Casino Marysville, revoked via stipulated settlement March 26

Key Employee License

- Berney Hoover, denied January 23

Third-Party Player License

- Tanisha Grant, approved January 9
- Albert Tin Kin Wong, denied February 8
- Ernesto De Leon, denied February 9
- Junly Phon, approved February 9
- Jasmine Norwood, denied March 12
- Valerie Chavez, approved March 26
- Monica Serpa, denied March 30