Rule 82 Problem Gambling Assessment
A Brief Review

By Jerrod Brown, Ph.D., & John Von Eschen, MA, LMFT

Rule 82 Problem Gambling Assessment

Problem gambling is the compulsion to continue gambling in spite of devastating consequences such as behavioral, physiological, and fiscal problems. For example, problem gamblers are significantly more likely than the general population to commit suicide. Problem gambling is considered to be a “Non-Substance Related Addictive Disorders-312.31 (F63.0)” as detailed on pages 585-589 of the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5).

Despite the seriousness of this issue, problem gambling often persists because some individuals use gambling as a means to distract themselves from feelings of depression, worry, and emotional trauma and loss. As such, it is important for professionals to remember that many individuals diagnosed with a problem gambling disorder often experience other co-occurring mental health conditions. However, with proper diagnosis and assessment, the condition can be treated in much the same way as substance use.
To increase the likelihood that individuals impacted by problem gambling are diagnosed and receive the assistance they need, the state of Minnesota implemented Rule 82. This requires that individuals convicted of certain crimes be assessed for problem gambling. The cost of this assessment is covered by the state, if not covered by insurance.

The assessment, performed by certified gambling therapists with advanced training, typically includes the South Oaks Gambling Screen (SOGS) along with a review of the individual’s personal history. This includes examination of criminal, financial, psychiatric, and medical records as well as employment and education histories, family relationships, and substance use.

Similar to a presentence investigation report, Rule 82 assessments are then used by the court to inform conditions and placement during sentencing. This could include the recommendation or requirement of treatment services, including Gamblers Anonymous or different types of therapy (e.g., individual, family, or group).

There are several benefits of Rule 82 assessments. Individuals diagnosed with a gambling problem begin to recognize the presence of the problem, identify options for assistance, and ultimately address their gambling problem through treatment. Those deemed merely casual gamblers benefit from a Rule 82 assessment by becoming educated about the dangers of problem gambling and how to avoid developing a disorder in the future. When the assessment is successful and gambling addiction is not present, the likelihood of continued involvement in the criminal justice system is decreased.

**Five Essential Takeaways on Rule 82 and Problem Gambling:**

- Problem gambling is the compulsion to gamble despite devastating consequences (e.g., behavioral, physiological, and fiscal problems).
- Minnesota’s Rule 82 ensures that individuals convicted of certain crimes receive a thorough assessment for problem gambling.
- The cost of Rule 82 assessments is covered by insurance or the State of Minnesota.
- Rule 82 assessments are performed by certified gambling therapists.
- Information gathered by Rule 82 assessments is used by the court during sentencing to ensure that individuals receive the appropriate treatment for problem gambling.
Author Biographies:

Jerrod Brown, Ph.D., is an Assistant Professor and Program Director for the Master of Arts degree in Human Services with an emphasis in Forensic Behavioral Health for Concordia University, St. Paul, Minnesota. Jerrod has also been employed with Pathways Counseling Center in St. Paul, Minnesota for the past fifteen years. Pathways provides programs and services benefiting individuals impacted by mental illness and addictions. Jerrod is also the founder and CEO of the American Institute for the Advancement of Forensic Studies (AIAFS) and the editor-in-chief of Forensic Scholars Today (FST) and the Journal of Special Populations (JSP). Jerrod has completed four separate master’s degree programs and holds graduate certificates in autism spectrum disorder, other health disabilities, and traumatic brain injuries. Jerrod has also been a certified problem gambling treatment provider in Minnesota since 2009. Email: Jerrod01234Brown@live.com

John Von Eschen, MA, LMFT, is a licensed marriage and family counselor and has been practicing at Pathways Counseling center as a gambling therapist for the last 13 years. He also works with Northstar Problem Gambling Alliance as a trainer and educator about the dangers of problem gambling dual addictions and prevention.