

employees with the inappropriate access were the Vice President of Finance, Security Shift Manager, Cage and Credit Manager, and an Executive Casino Host.

1. A follow-up to this finding was conducted in June and July 2021 and it was found that the Cage and Credit Manager and eleven Executive Casino Hosts had inappropriate access to create player accounts. This was included in Gaming Report No. 20211117002 which included a total of five (5) repeat findings and resulted in a \$12,500 fine to the Casino.
 - ii. The current audit, Report No. 23-13, included finding D-3, which noted that eight (8) employees who were not cage, table games, compliance, or ticketing employees, had system access to create player accounts and/or print player cards. The eight (8) employees with the inappropriate access were a Cook, an Asia Restaurant Manager, two Host/Cashiers- Star Club, a Restaurant Manager, a Food Server- Star Club, a Restaurant Assistant Manager, and an Executive Casino Host.
- b. Employees had system access to create player accounts, as well as system access to add/adjust points.
- i. The previous audit report, Report No. 20-20 for the period of July 1, 2018 through October 1, 2020, issued on December 30, 2020, included finding C-8, which noted that the Vice President of Finance, two (2) Compliance Specialists, a Security Shift Manager, the Cage and Credit Manager, an Executive Casino Host, and the Director of Regulatory Compliance had system access to create players accounts and system access to add/adjust points.
 1. A follow-up to this finding was conducted in June and July 2021 and it was found that the Director of Regulatory Compliance and Compliance Specialist had access create players accounts and adjust points in the newly installed table games system. A Compliance Directive was issued to the IT Manager to correct this issue.
 - ii. The audit report prior to Report No. 20-20 also noted the same violation. Report No. 18-23 for the period of October 1, 2016 through June 30, 2018, issued on November 21, 2018, included finding C-1, which noted that four (4) MyChoice Supervisors, five (5) Lead MyChoice Representatives, the MyChoice Manager, two (2) Compliance Specialists, the Director of Regulatory Compliance, and the Player Development Coordinator had system access to issue players cards and add points.

1. A follow-up to this finding was conducted in March 2019, and it was revealed these positions no longer had system access to create players accounts and add points.
- iii. The current audit, Report No. 23-13, included finding D-5, which noted that the Corporate Digital Media Manager, Human Resources Internal Communications & Community Relations Manager, the prior Marketing Manager, who was no longer employed by the Casino, and the Director of Casino Marketing had system access to create players accounts and add/adjust points. In addition, the Director of Casino Marketing also had system access to reset PINs.
- c. A current list of all user accounts including the employee's name and the individual's corresponding user provisioning access for all Critical IT Systems, including OneLink, was not retained for at least one day of each month for the most recent five years.
 - i. The previous audit report, Report No. 20-21 for the period of July 1, 2018 through October 1, 2020, issued on December 30, 2020, included finding E-5, which noted that a report including user provisioning access for OneLink was not retained for at least one day of each month. A report is available, but it was only manually generated when requested.
 1. A follow-up to this finding was conducted in June and July 2021, and it was found that a report including user provisioning access for OneLink was retained for at least one day of each month.
 - ii. The current audit, Report No. 23-13, included finding G-6, which noted that a report including the active users and user provisioning access for OneLink was not retained for at least one day of each month.

LAW

8. Section 313.805, RSMo, states, in pertinent part, as follows:

The commission shall have full jurisdiction over and shall supervise all gambling operations governed by sections 313.800 to 313.850. The commission shall have the following powers and shall promulgate rules and regulations to implement sections 313.800 to 313.850:

* * *

(5) To investigate alleged violations of sections 313.800 to 313.850 or the commission rules, orders, or final decisions;

(6) To assess any appropriate administrative penalty against a licensee, including, but not limited to, suspension, revocation, and penalties of an amount

as determined by the commission up to three times the highest daily amount of gross receipts derived from wagering on the gambling games, whether unauthorized or authorized, conducted during the previous twelve months as well as confiscation and forfeiture of all gambling game equipment used in the conduct of unauthorized gambling games. Forfeitures pursuant to this section shall be enforced as provided in sections 513.600 to 513.645;

* * *

(19) To take any other action as may be reasonable or appropriate to enforce sections 313.800 to 313.850 and the commission rules.

9. Section 313.812, RSMo, states, in pertinent part, as follows:

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by such person or such person's agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline.

* * *

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming[.]

10. 11 CSR 45-9.020(1)(B)(5) states, in pertinent part, as follows:

Each Class B Licensee and other licensees as directed by the commission shall establish an internal control system that includes the following:

(B) Accounting control which includes the plan of organization and procedures and records that are concerned with the safeguarding of assets and the accuracy and reliability of financial records and are consequently designed to provide reasonable assurance that-

* * *

(5) Functions, duties, and responsibilities are appropriately segregated and performed by competent personnel with integrity and an understanding of prescribed procedures.

11. 11 CSR 45-9.060(2) states, in pertinent part, as follows:

(2) Failure to comply with the provisions of this chapter is an unsuitable method of operation.

(3) Violations of the minimum internal control standards by a Class A or Class B licensee or an agent or employee of a Class A or Class B licensee are deemed to be unsuitable conduct for which the Class A or Class B licensee and/or its agent or employee is subject to administrative penalty pursuant to section 313.805(6), RSMo and 11 CSR 45-1 et seq., as amended from time-to-time.

12. The Commission's Minimum Internal Control Standards, the MICS, Chapter I § 12.03 states as follows:

Prior to creating a player reward account and printing a player card for a patron, the ticketing employee, Table Games Supervisor, Assistant Pit Manager, or Pit Manager shall require the patron to present a valid government-issued photo identification and confirm the identification matches the physical characteristics of the person presenting the identification.

13. MICS, Chapter I § 13.03 states as follows: Employees who issue player cards shall not be allowed to add or adjust points except for Table Games Supervisors, Assistant Pit Managers, and Pit Managers who may only add points through rated play documented on a form identified in the licensee's internal controls.

14. MICS, Chapter I § 13.14 states in relevant part as follows:

If PINs are used and can be reset, the Class B Licensee shall ensure the following procedures are performed when "resetting" a patron's PIN:

(A) a supervisor, who does not have the ability to adjust points, shall reset the PIN at the ticketing area and shall confirm the patron's valid government-issued photo identification matches the physical characteristics of the person presenting the identification and respective fields (i.e., name, date of birth, photo identification type, and number) in the player reward system.

15. MICS, Chapter S § 9.04 states as follows:

A current list of all user accounts including the employee's name and the individual's corresponding user provisioning access for all Critical IT Systems and equipment shall be retained for at least one day of each month for the most recent five years. The lists may be archived electronically, if the listing is written to unalterable media (secured to prevent alteration).

16. MICS, Chapter S § 17.03 states as follows:

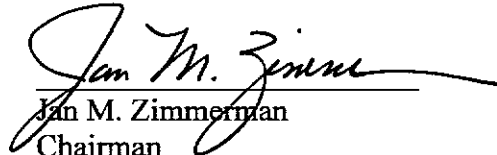
If an employee of a Class B Licensee who has access to the player tracking system is suspended subject to termination, terminated or transferred to another department, the individual's access shall be terminated within 72 hours of the change in status.

VIOLATIONS

17. The acts or omissions of employees or agents of the Casino, as described above, involve a failure by the Casino to ensure proper IT system access for employees, to include proper segregation to safeguard assets and reliability of Casino systems, and to provide necessary IT access system reports, in violation of 11 CSR 45-9.020(1)(B)(5) and the Commission's Minimum Internal Control Standards, Chapter I Sections 12.03, 13.03, and 13.14(A); and Chapter S Sections 9.04 and 17.03.
18. Ameristar Casino St Louis is therefore subject to discipline for such violations pursuant to Sections 313.805 and 313.812.14(2), RSMo, and 11 CSR 45-9.060(2) and (3).

PENALTY PROPOSED

19. Under Section 313.805, RSMo, the Commission has the power to assess any appropriate administrative penalty against Ameristar Casino St. Louis, as the holder of a Class B license.
20. THEREFORE, it is proposed that the Commission fine Ameristar Casino St. Louis, the amount of \$15,000 for the violations set forth herein.


Jan M. Zimmerman
Chairman
Missouri Gaming Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused a true and correct copy of the foregoing to be mailed, postage prepaid, this 30th day of May, 2024, to:

Douglas Lang
General Manager
Ameristar St. Charles
1 Ameristar Blvd.
St. Charles, MO 63301


Jan M. Zimmerman
Chairman
Missouri Gaming Commission