2.38: Procedure for Claiming Prizes

The following shall be the procedure by which prizes may be claimed and paid from the State Lottery:

(1) **Place Of Claims.** All cash prizes must be claimed through a Sales Agent, a duly authorized claim center or through a Lottery office.

(2) To be eligible for a prize, the prize winner must submit an original winning ticket prior to the expiration of the claim period. On-line tickets must be claimed within one year of the drawing date. Instant tickets must be claimed within one year of the end of the particular game. For prizes less than $600.00, a claim is valid only when the original winning ticket has been presented for payment and validated by the Lottery’s computer gaming system at a sales agent, claim center, or Lottery office. For prizes of $600.00 or more greater but less than $100,000.01, a claim is valid only when the original winning ticket has been presented for payment, a claim form has been properly completed, and the ticket has been validated by the Lottery’s computer gaming system and verified by Lottery internal validation requirements at a Lottery office or duly authorized claim center. For prizes of $100,000.01 or greater, a claim is valid only when the original winning ticket has been presented for payment, a claim form has been properly completed and the ticket has been validated by the Lottery’s computer gaming system and verified by Lottery internal validation requirements at the office of the Director. The Lottery may require certain claims for prizes of any amount be claimed at the office of the Director. Tickets submitted for payment subsequent to the claim period defined above are void.

(3) **Claim Forms.** Each prize ticket owner, other than those paid in cash, or his/her representative is required to complete the claim form which is available free of charge at each Sales Agent or Lottery office and sign the winning ticket. If the prize ticket owner is a minor or other person(s) unable to complete the claim form, then said minor or person shall have his/her guardian, conservator, parent, adult member of his/her household, or his/her next friend or other proper representative complete the claim form in his/her stead. If the Director determines that the person who completed the claim form in behalf of an owner is not the proper person to claim the prize in behalf of the owner, the Director may demand a new claim form completed by a person who is acceptable to the Director as the proper person so to claim the true owner's prize. The claim form incorporates by reference the following provisions:

(a) Verification that the prize ticket owner is not a person disqualified by law or by 961 CMR 2.00 to claim or otherwise accept a prize from the Lottery;
(b) The prize ticket owner grants to the Commission the right to use his/her name, address, and photograph to publicize his/her winnings. This same right is
granted to the Commission by one signing in behalf of a minor or other ticket
owner under a disability which prevents him/her from signing in his/her own
behalf;

(c) Indemnification of the Commission for any loss occasioned by an untruth
or misrepresentation by the ticket owner or the person claiming the prize in his/her
or her behalf;

(d) All information requested by the Commission which may include but not
limited to the prize ticket owner's (and any person signing in his/her behalf) name,
address, and social security number or taxpayer's identification number.

The claim form may contain any other provision which the Director may, from
time to time, deem necessary and proper to protect the Commission and the public
welfare. Each claim form must have attached thereto the original Lottery ticket.

(4) List of Winning Tickets. Lottery offices and Sales Agents will be provided
with a sufficient number of lists containing certain winning Lottery numbers for the
prior 52 weeks which will be available to the public view at each location transacting
Lottery business.

(5) Lottery Payment Verification. The Sales Agent or claim center reviews the
claim form and the ticket and must be assured that the ticket is a winner, that the back
of the ticket and the claim form are properly filled out and signed by the claimant, and
that the ticket has been presented for payment in accordance with 961 CMR 2.38(2)
prior to the expiration date. Upon validation and verification, the prize money will
be forwarded and/or provided to the claimant in check form except that the winner of
the prize of $100,000.01 or greater $50,000 or more must present himself/herself in
person at the office of the Director to receive his/her prize unless he/she is physically
or mentally incapable of so doing. All claims are subject to the Act, 961 CMR 2.00,
and Lottery verification procedures, which includes but may not be limited to, any or
all claim procedures required by any multi-state agreements to which the Lottery is
subject. If the claim is invalidated, the claim is denied and the Director will promptly
notify the claimant. The claimant, if aggrieved, shall have a right pursuant to M.G.L.
c. 30A to appeal the decision to the Commission. Any such appeal shall be in writing
and made within 30 days of the giving of Notice of the Director’s determination.

(6) In accordance with M.G.L. c. 30A, § 11(7), if less than a majority of the
Commissioners of the Massachusetts State Lottery Commission are present at a
hearing no party shall be entitled to a tentative or proposed decision unless such party
makes written request in advance for such tentative or proposed decision.

(6)(7) If a claimant is aggrieved by the Director's denial of his/her claim for a
prize, he/she may request an informal hearing with the Director to discuss his/her
grievances and a reconsideration of his/her claim by the Director. If the Director
concludes that there is a meritorious basis for the claimant's complaint, he/she may
(7)(8) The Director may establish procedures other than those specified in 961 CMR 2.00 for claiming and paying prizes of less than $601.00. Such procedures shall be set forth in Administrative Bulletins issued by the Director.

(8)(9) In the event a claim is based on a ticket which is incomplete or non-conforming or in any way defective, invalid or void as determined by the Director, the limit of the Commission's liability shall be, at its option, the price of the ticket or replacement thereof.

(9)(10) If a prize won is an opportunity to participate in a televised drawing, said opportunity shall be personal to the owner or holder of any ticket winning such prize and, except as authorized by the Director in writing, no person other than said owner or holder shall be entitled to participate in said televised drawing.