



## OFFICE *of* RESEARCH & GRADUATE STUDIES

### **IRB Guidance on the Use of Drawings as Compensation or Incentive**

To avoid Texas gambling laws, researchers need to determine whether their use of a drawing (e.g. raffle) for a chance to win a prize constitutes a lottery. Lotteries are illegal because they are considered “gambling” under Texas Penal Code Chapter 47.

A “lottery” is defined as any scheme or procedure whereby one or more prizes are distributed by chance among persons who have paid or promised consideration for a chance to win anything of value, whether such scheme or procedure is called a pool, lottery, raffle, gift, gift enterprise, sale, policy game, or some other name.

Given the possible implications to researchers using drawings as a form of compensation or an incentive to participate in research, the Office of Research and Graduate Studies, in conjunction with the Office of Legal Counsel, has identified a framework for the acceptable use of drawings in human research at the University of the Incarnate Word:

1. The compensation is appropriate when it is not large enough to be considered an inducement (undue influence).
2. The participant is not told that entry or eligibility for the drawing is a condition of completion of the study. This means that everyone who consents to participate is eligible for the drawing whether they complete the study or not and cannot be told they must complete the study.
3. The time, effort, and inconvenience of participation cannot be substantial. Substantial time and effort is determined on a case-by-case basis and considers the procedures involved, the population from which participants are recruited, and the amount of time involved.
4. This approach is not limited to exempt research.

**Do not run afoul of Texas Gambling Laws.** Should you have any questions contact the Human Research Protection Program by phone at (210) 805-3555 or by email at [irb@uiwtx.edu](mailto:irb@uiwtx.edu).