

CALIFORNIA HORSE RACING BOARD
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MEDICATION AND TRACK SAFETY COMMITTEE MEETING

of the **California Horse Racing Board** will be held on **Friday, July 19, 2013**, commencing at **9:30 a.m.**, at the **Del Mar Surfside Race Place, (Downstairs General Admission Area) 2260 Jimmy Durante Blvd., Del Mar, California**. Non-committee Board members attending the committee meeting may not participate in the public discussion, official committee vote or committee closed session.

AGENDA

Action Items:

1. Discussion and action regarding the report on the implementation of **CHRB Rule 1658, Vesting of Title to Claimed Horse**, which was amended to provide that the stewards shall void the claim if the horse suffers a fatality during the race, or the racing or official veterinarian determines the horse will be placed on the Veterinarian's List as unsound or lame before the horse is released to the successful claimant.
2. Discussion and action regarding **establishing a Heat Stress Index policy for racing at CHRB regulated facilities**.
3. Discussion and action regarding the proposed amendment to **CHRB Rule 1845, Authorized Bleeder Medication**, to require a prescription for furosemide to treat EIPH by CHRB licensed veterinarians to accompany the CHRB Form 194, Authorized Bleeder Medication Request.
4. Discussion and action regarding **the designation of furosemide as the only authorized bleeder medication**.
5. Discussion and action regarding **establishing reciprocity for Veterinarian's Lists with other racing jurisdictions and to not allow entry of a horse on the Veterinarian's List in another jurisdiction from entering a race without the approval of the stewards**.
6. Discussion and action regarding **the purging of the CHRB Veterinarian's List after 24 months of inactivity by a horse on the list that is not barred permanently from racing**.

7. Discussion and action regarding **the feasibility of requiring any horse which has not started in a race for 12 months, to undergo a racing soundness examination prior to entry.**
8. **General Business:** Communications, reports, requests for future actions of the Committee.

Additional information regarding this meeting may be obtained from Jacqueline Wagner at the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. A copy of this notice can be located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aids or services in order to participate in this public meeting, should contact Jacqueline Wagner.

**MEDICATION AND
TRACK SAFETY COMMITTEE**
Commissioner Bo Derek, Chairman
Vice Chairman Chuck Winner, Member
Kirk E. Breed, Executive Director

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING
THE REPORT ON THE IMPLEMENTATION OF
CHRB RULE 1658, VESTING OF TITLE TO CLAIMED HORSE,
WHICH WAS AMENDED TO PROVIDE THAT THE STEWARDS SHALL
VOID THE CLAIM IF THE HORSE SUFFERS A FATALITY DURING THE RACE OR THE
RACING OR OFFICIAL VETERINARIAN DETERMINES THE HORSE WILL BE PLACED
ON THE VETERINARIAN'S LIST AS UNSOUND OR LAME BEFORE THE HORSE IS
RELEASED TO THE SUCCESSFUL CLAIMANT

Medication and Track Safety Committee Meeting
July 19, 2013

BACKGROUND

Business and Professions Code section 19420 provides that the Board has jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings. Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board include adjudication of controversies arising from the enforcement of those laws and regulations dealing with horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in California. In February 2013 the Board adopted an amendment to Rule 1658, Vesting of Title to Claimed Horse, which states that title to a horse which is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the horse becomes a starter. The successful claimant becomes the owner of the horse unless the claim is voided by the stewards. The stewards shall void the claim and return the horse to the original owner if the horse suffers a fatality during the running of the race, or the racing or official veterinarian determines the horse will be placed on the Veterinarian's List as unsound or lame before the horse is released to the successful claimant. When the Board adopted the amendment to Rule 1658 it stated the regulation was not perfect, but it was the best approach presented. The Board also recognized that the regulation might need further modification; however, it could take some time for the rule to have its desired impact on those who might use claiming to discard damaged horses.

ANALYSIS

The Office of Administrative Law approved the amendment to Rule 1658 on May 2, 2013. The effective date of the regulation was also May 2, 2013. The Board did not implement the regulation until May 16, 2013. The delay was to allow time for the stewards, veterinarians and others involved in the process to fully understand the change; and to notify the industry and the public. Since its implementation, Rule 1658 has generated some controversy. At the June 2013 Regular Board Meeting the implementation of the amended rule was discussed. The Board heard from the Equine Medical Director, as well as other interested parties. In response to the

various reactions to the amended Rule 1658, the item was referred to the Medication and Track Safety Committee for a discussion of all relevant issues related to the enactment of Rule 1658. Subsequent to the June 2013 Regular Board Meeting a second CHRB advisory regarding the amendment to Rule 1658 was issued. The advisory, dated June 27, 2013, is in English and Spanish, and was distributed in the stable areas with the cooperation of the horsemen's organizations.

RECOMMENDATION

This item is presented for committee discussion and action. The Equine Medical Director, Dr. Rick Arthur, is prepared to make a presentation.

Report on implementation of CHRB Rule 1658 Vesting of Title to Claimed Horse

Rick M. Arthur DVM Equine Medical Director

The Office of Administrative Law notified the CHRB that May 9 would be the effective date of the new amendments to 1658 requiring the BOS to void claims when the horse is determined to be unsound or lame by the official (CHRB) or association (track) veterinarian prior to the horse being released from their care. The Executive Director set May 16, 2013, as the start date to begin implementing the rule. A conference call of official veterinarians and stewards reviewed the procedures and protocols presented to the Board last September when the amendment was first approved for notice. Those procedures are attached (see Appendix A & B) and available at http://www.chrb.ca.gov/Board/board_packages/Sep-2012.pdf pages 5-5 to 5-6.

Claim data from July 1, 2009, through June 30, 2012, showed that historically about 2.5% (128/5212) of all claims ended up on the Veterinarian's List as unsound or lame. In the first four weeks of the new claiming rule, about 10% (19/181) of the horses for which claims were dropped have been placed on the Veterinarian's List as unsound or lame, roughly four times the historical rate. The equine medical director will provide an update of the number of voided claims through July 14th during the discussion.

Certain historical metrics are available and can be used as a comparison to evaluate the new procedures. Between July 1, 2009, through June 30, 2012, 60% of Thoroughbreds and 75% of Quarter Horses that were claimed and placed on the Veterinarians List as unsound or lame never raced again. Of those horses that did race again, the average time to their next race averaged 126 days for Thoroughbreds (27-603 days) and 206 days for Quarter Horses (28-420 days). For comparison, the average Thoroughbred races back 43 days after being claimed (see Appendix C).

Horses placed on the Veterinarian's List as unsound or lame must work satisfactorily for the official or association veterinarian and pass a post-work blood test prior to being removed from the list and allowed to start.

Appendix A:**Procedures for Voiding Claims:**

- All claimed horses capable to do so are to be sent to the Receiving Barn for post-race testing and post-race evaluation by the official veterinarian.
- The horse will be examined in or near the Receiving Barn by the official veterinarian in a manner similar to how other horses are evaluated post-race for possible unsoundness or lameness.
- Unless otherwise designated for post-race testing, only blood samples (official and split samples) will be drawn.
- If the official veterinarian determines the horse is lame or unsound and will be placed on the Veterinarian's List, the official veterinarian will notify the stewards prior to the horse leaving the receiving barn.
- Based on the findings of the official veterinarian the stewards will determine whether the claim will be voided. If the stewards decide the claim is void, the horse will remain in the control of the original owner. If the stewards decide the claim will stand, the horse will be turned over to the claimant upon leaving the receiving barn.
- If, in the opinion of the official or racing (track) veterinarian, a claimed horse is incapable of being sent to the Receiving Barn, the racing (track) veterinarian will obtain blood samples (official and split samples) whenever humanely possible and determine the extent of the horses injuries. If the horse is incapable of being sent to the Receiving Barn because the horse is lame or unsound, the racing (track) veterinarian will so notify the stewards and the official veterinarian.
- Based on the findings of the racing (track) veterinarian the stewards will determine whether the claim will be voided. If the stewards determine the claim is to be voided, the horse will remain in the control of the original owner once the horse leaves the track. If the stewards decide the claim will stand, the horse will be turned over to the claimant upon leaving the track.
- A horse with a lameness with an AAEP Lameness Score greater than 3 shall be placed on the Veterinarians List as Lamé.

- A horse with an AAEP Lameness Score of 3 or less and determined to be unfit to race shall be placed on the Veterinarian's List as Unsound.
- The official veterinarian shall place a claimed horse on the Veterinarian's List as Unsound or Lamé upon the recommendation of the racing (track) veterinarian.
- Horses that are injured and showing lameness will be placed on the Veterinarians List as Unsound or Lamé. Horses that are injured such as a cut or grabbed quarter and not showing lameness may be designated as Injured on the Veterinarians List. Claims should not be voided unless the horse is going to be placed on the Veterinarian's List as lame or unsound. Accordingly, horses placed on the Veterinarian's List for other reasons such as bled, exhausted, injured and are not to be voided.

Appendix B:

AAEP LAMENESS SCALE

Because each horse has unique performance characteristics, evaluating lameness can be challenging. Experienced riders may detect minor alterations in gait before they are apparent to an observer. Lameness may appear as a subtle shortening of the stride, or the condition may be so severe that the horse will not bear weight on the affected limb. With such extremes of lameness possible, a lameness grading system has been developed by the AAEP to aid both communication and record-keeping. The scale ranges from zero to five, with zero being no perceptible lameness, and five being most extreme. **The AAEP guidelines explain the grading system this way:**

0: Lameness not perceptible under any circumstances.

1: Lameness is difficult to observe and is not consistently apparent, regardless of circumstances (e.g. under saddle, circling, inclines, hard surface, etc.).

2: Lameness is difficult to observe at a walk or when trotting in a straight line but consistently apparent under certain circumstances (e.g. weight-carrying, circling, inclines, hard surface, etc.).

3: Lameness is consistently observable at a trot under all circumstances.

4: Lameness is obvious at a walk.

5: Lameness produces minimal weight bearing in motion and/or at rest or a complete inability to move.

Appendix C:

Three Year Claim Data from California

July 1, 2009 through June 30, 2012

Sum of Claims	Thoroughbreds	Quarter Horses	Mules	Arabians	Paints	Appaloosas	Grand Total
Del Mar	553						553
Fairplex	94						94
Ferndale	5						5
Fresno	24	2		1			27
Golden Gate	921						921
Hollywood Park	718						718
Los Alamitos	1005	939			1	2	1947
Pleasanton	94	2		1			97
Santa Anita	741						741
Santa Rosa	52		1	1			54
Solano	6						6
Stockton	9						9
Sacramento	36	2	1	1			40
Grand Total	4258	945	2	4	1	2	5212

Of the 5212 claims, 4435 raced back. The average time to next start was 42.99 days. 777 horses never started again after being claimed.

Horses Claimed and on CHRB Vet's List as Unsound or Lame:

- Thoroughbreds:
 - 96 horses were claimed and placed on the Veterinarian's List as Unsound or Lame of which 13 were fatalities.

Track	Claims on Vet's as Unsound or Lame
Del Mar	6
Fairs	3
Golden Gate	15
Hollywood Park	14
Los Alamitos	48
Santa Anita	10

- 58/96 (60%) Thoroughbred horses never started again. 38 horses came back and raced with an average time to next start was 126.5 days (27-603 days). 12/38 racing again raced outside of California. 73% of claimed horses on the CHRB Veterinarian's List as unsound or lame never raced again in California
- Quarter Horses:
 - 32 horses were claimed and placed on the Veterinarian's List as Unsound or Lame of which 3 were fatalities.

Track	Claims on Vet's as Unsound or Lame
Los Alamitos	31
Fairs	1

- 24/32 (75%) never raced again. 8 horses came back to race an average of 206 days later (28-420); 2/8 horses racing again returned to racing outside of California.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 7. CLAIMING RACES.
RULE 1658. VESTING OF TITLE TO CLAIMED HORSE.

Medication and Track Safety Committee Meeting
July 19, 2013

1658. Vesting of Title to Claimed Horse.

(a) Title to a horse which is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the horse becomes a starter; and said successful claimant becomes the owner of the horse unless voided by the stewards under the provisions of this article. Only a horse which is officially a starter in the race may be claimed. A subsequent disqualification of the horse by order of the stewards or the Board shall have no effect upon the claim.

(b) The stewards shall void the claim and return the horse to the original owner if:

(1) The horse suffers a fatality during the running of the race or

(2) The racing or official veterinarian determine the horse will be placed on the Veterinarian's List as unsound or lame before the horse is released to the successful claimant.

(c) The claim shall be void if the race is called off, canceled, or declared no contest in accordance with Rule 1544 of this division.

Authority: Sections 19420 and 19440,
Business and Professions Code.

Reference: Section 19562,
Business and Professions Code.

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CHRB ADVISORY

JUNE 27, 2013

REMINDER/ RULE 1658 (VESTING OF TITLE TO CLAIMED HORSE)

As of May 16, 2013, under CHRB Rule 1658, the stewards at California racetracks are required to void any claim where "the racing or official veterinarian determine the horse will be placed on the Veterinarian's List as unsound or lame before the horse is released to the successful claimant." The rule also requires claims to be voided if the horse suffers a fatality either during the race or before returning to be unsaddled

Procedurally, claimed horses are taken to the receiving barn after the race and examined there by the official veterinarian. If the official veterinarian determines the horse is lame or unsound and places the horse on the Veterinarian's List, the stewards are notified and they void the claim. Such horses are returned to their original owners. If the official veterinarian does not determine the horse to be lame or unsound, the horse is released to the new owner, making the claim final. Rule 1658 does not have any provision for a claim to be voided any time after leaving custody of the official veterinarian and the receiving barn with the representative of the new owner

Further information is available on the CHRB Website under the Veterinary link.

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Aclaración del Artículo 1658 (Adquisición de derechos de propiedad a caballo reclamado)

A partir del 16 de Mayo de 2013, bajo la Regla de CHRB 1658, se requiere que los Jueces en los hipódromos de California anulen cualquier reclamación que "las carreras o el veterinario oficial determine que el caballo se coloque en la lista del veterinario por ser inestable o este cojo antes que el caballo se entregue al reclamante exitoso (nuevo dueño)". La regla también requiere que las reclamaciones sean anuladas si el caballo sufre un accidente mortal, ya sea durante la carrera o antes de ser desensillado.

Por procedimiento, caballos reclamados son llevados a la caballeriza recibidora (receiving barn) después de la carrera y se examinarán allí por el veterinario oficial. Si el veterinario oficial decide que el caballo está cojo o en mala condición y coloca el caballo en la lista del veterinario, los Jueces se notificarán y ellos anularán el reclamo. Estos caballos son devueltos a sus dueños originales. Si el veterinario oficial determina que el caballo no está cojo o en mala condición, el caballo se entrega al nuevo dueño, por lo que finaliza la reclamación. Regla 1658 no tiene ninguna provisión para que un reclamo sea anulado a cualquier momento después de salir de la custodia del veterinario oficial y de la caballeriza recibidora (receiving barn) con el representante del nuevo dueño.

Más información está disponible en el sitio web CHRB en el enlace Veterinaria.

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CHRB NEWS RELEASE

MAY 8, 2013

CLAIMING RULE CHANGE TAKES EFFECT MAY 16

SACRAMENTO, CA – Claims (sales) will be voided in California beginning Thursday, May 16, whenever a claimed horse suffers a fatality or is placed on the Veterinarian's List as lame or unsound after the race. The change to CHRB Rule 1658 was adopted by the California Horse Racing Board following a public hearing on February 23 and approved May 2 by the reviewing Office of Administrative Law.

Previously, the rule called for voiding a claim only "if the horse suffers a fatality during the running of the race (or) before the horse is returned to be unsaddled." With the amendment, the stewards also will void a claim if "the racing or official veterinarian determines the horse will be placed on the Veterinarian's List as unsound or lame before the horse is released to the successful claimant."

During that public hearing in February, Vice Chairman Chuck Winner, who along with Commissioner Bo Derek serves on the Medication and Track Safety Committee, which developed and supported this amendment, explained that the rule is designed to protect horses, jockeys, and the integrity of racing.

The Board is delaying implementation of the amendment until May 16 to give the industry and the public advance notice and to make certain the stewards, veterinarians, and others involved in the process fully understand the change.

Under the new procedures, claimed horses will be examined after the race either by the CHRB official veterinarian in the receiving barn or by the track veterinarian in those instances when the horse is removed directly from the track by ambulance. If the CHRB official veterinarian or the track veterinarian determines a claimed horse is to be placed on the CHRB Veterinarian's List as lame or unsound, the stewards will be notified and the claim voided by them.

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STAFF ANALYSIS
 DISCUSSION AND ACTION REGARDING
 ESTABLISHING A
 HEAT STRESS INDEX POLICY
 FOR RACING AT CHRB REGULATED FACILITIES

Medication and Track Safety Committee Meeting
 July 19, 2013

BACKGROUND

The CHRB does not currently have a policy as to when it is safe to conduct racing on days with high temperatures. Other racing venues and equestrian events use the Heat Stress Index of 180 as the limit to allow continued competition. A Heat Stress Index is considered the point at which horses cannot naturally dissipate heat production from added exercise. While there is a number of ways to evaluate heat stress, the simplest Heat Stress Index is the temperature (Fahrenheit) plus the humidity. Both measurements are readily available.

A horse starts losing its ability to dissipate heat above a Heat Stress Index of 130; by Heat Stress Index of 180 the horse cannot naturally dissipate heat produced from exercise. Fortunately, while the temperatures in California can be very high, the humidity is considerably lower than seen in the mid-west and east.

The advantage of establishing a Heat Stress Index limit for racing in California is that it provides an objective measurement that can be easily understood and calculated.

As an example, during the recent heat wave on July 3, 2013, the following Heat Stress Index values were calculated at 3:00 PM.

Track	Temperature	Humidity	Heat Stress Index
Del Mar	75	84	159
Pleasanton	102	70	172
Hollywood Park	73	90	163
Santa Anita	88	68	156
Los Alamitos	72	91	163

All tracks had a Heat Stress Index score where precautions should be taken by trainers and track veterinarian but racing would continue.

RECOMMENDATION

This item is presented for committee discussion and action.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING
PROPOSED AMENDMENT TO
CHRB RULE 1845, AUTHORIZED BLEEDER MEDICATION,
TO REQUIRE A PRESCRIPTION FOR FUROSEMIDE TO TREAT
EIPH BY CHRB LICENSED VETERINARIANS TO ACCOMPANY
THE CHRB FORM 194, AUTHORIZED BLEEDER MEDICATION REQUEST

Medication and Track Safety Committee Meeting
July 19, 2013

BACKGROUND

Business and Professions Code section 19440 states the Board has all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions under which all horse races with wagering on their results shall be conducted in California. Business and Professions Code section 19580 requires the Board to adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California. Business and Professions Code section 19581 states that no substance of any kind shall be administered by any means to a horse after it has been entered to race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof.

Board Rule 1845, Authorized Bleeder Medication, provides that authorized bleeder medication for the control of exercised induced pulmonary hemorrhage (EIPH) may be administered to a horse on the authorized bleeder medication list. A horse is eligible to race with authorized bleeder medication if the licensed trainer and/or veterinarian determine it is in the horse's best interest. If a horse will race with authorized bleeder medication, the official veterinarian must be informed prior to entry, as specified.

ANALYSIS

At its October 2012 Regular Meeting the Board approved amendments to CHRB Rule 1845 to require that authorized bleeder medication be administered by independent, third party veterinarians. During the 45-day public comment period objections were raised by private veterinarians and the California Veterinary Medical Association. Those in opposition to the proposed amendment stated that it violated the veterinary medical practice act by interfering with the client-veterinarian-patient relationship required for prescription medications since furosemide is a federal prescription medication. The proposed amendment was subsequently postponed pending a resolution to the objections. However, similar provisions are currently in place in other racing jurisdictions, are part of the ARCI model rule and were supported by the American Association of Equine Practitioners. The Board's Equine Medical Director has stated the simplest resolution is to include a prescription for furosemide as part of the CHRB-194

Authorized Bleeder Medication Request process. In the past, a CHRB licensed attending veterinarian's signature was required to place a horse on the authorized bleeder medication list, but that requirement was removed. Now, either the trainer or veterinarian is allowed to sign the CHRB-194 Authorized Bleeder Medication Request. The proposed change in the form CHRB-194 Authorized Bleeder Medication Request will change the name of the form to CHRB-194 Authorized Bleeder Medication Request and Prescription, and will require the CHRB licensed attending veterinarian's signature acknowledging CHRB-194 constitutes a lawful prescription for furosemide consistent with CHRB Rule 1845.

RECOMMENDATION

This item is presented for committee discussion and action.

AUTHORIZED BLEEDER MEDICATION REQUEST AND PRESCRIPTION

CHRB – 194 (Rev. 05/09 07/13)

HORSES NAME: _____

TATTOO NUMBER: _____ BREED: _____ DATE: _____

TRAINERS NAME: _____

- () Request that the horse listed above be **placed** on the Authorized Bleeder Medication List and be treated pursuant to California Horse Racing Board Rules and Regulations.
Article 15. Section 1845. Signature of CHRB licensed attending veterinarian is required for the horse listed above to be placed on the Authorized Bleeder Medication List.

- () Request that the horse listed above be **removed** from the Authorized Bleeder Medication List pursuant to California Horse Racing Board Rules and Regulations.
Article 15. Section 1845.

VETERINARIAN SIGNATURE: _____
Veterinarian's signature constitutes that a lawful prescription for furosemide has been prescribed for the horse named on this form, pursuant to CHRB Rule 1845, Authorized Bleeder Medication.

TRAINERS SIGNATURE: _____

APPROVED BY: _____ DATE RECEIVED: _____

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
RULE 1845. AUTHORIZED BLEEDER
MEDICATION

Regular Board Meeting
July 18, 2013

1845. Authorized Bleeder Medication.

Authorized bleeder medication for the control of exercised induced pulmonary hemorrhage (EIPH) may be administered to a horse on the authorized bleeder medication list.

(a) A horse is eligible to race with authorized bleeder medication if the licensed trainer and/or veterinarian determines it is in the horse's best interest. If a horse will race with authorized bleeder medication, form CHRB 194 (New 08/04), Authorized Bleeder Medication Request, which is hereby incorporated by reference, shall be used to notify the official veterinarian prior to entry.

(b) The official laboratory shall measure the specific gravity of post-race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.

(c) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if a urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

(d) A horse qualified to race with authorized bleeder medication shall be assigned to a pre-race security stall prior to the scheduled post time for the race in which it is entered, and shall remain there until it is taken to the receiving barn or the paddock to be saddled or harnessed for the race. While in the security stall, the horse shall be in the care, custody, control and

constant view of the trainer, or a licensed person assigned by the trainer. The trainer shall be responsible for the condition, care and handling of the horse while it remains in the security stall. The official veterinarian may permit a horse to leave the security stall to engage in track warm-up heats prior to a race.

(e) A horse qualified for administration of authorized bleeder medication must be treated on the grounds of the racetrack where the horse will race no later than four hours prior to post time of the race for which the horse is entered.

(1) The only authorized bleeder medication, ~~furosemide~~, shall be furosemide administered by a single intravenous injection only, in a dosage of not less than 150 mg. or not more than 500 mg.

(2) Furosemide shall be administered by the official veterinarian, the racing veterinarian or a veterinarian designated by the official veterinarian. Registered veterinary technicians under the supervision of the official veterinarian, racing veterinarian or a designee of the official veterinarian may administer authorized bleeder medication.

(a) Any veterinarian or registered veterinary technician designated to administer authorized bleeder medication shall be prohibited from working as a private veterinarian or registered veterinary technician at the race track or with participating licensees.

(b) The licensed owners of horses administered furosemide in the manner prescribed in this section shall pay the costs associated with such administration.

(3) A horse racing with furosemide must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.

(4) The veterinarian administering the bleeder medication shall notify the official veterinarian of the treatment of the horse. Such Notification shall be made using CHRB form-36

(New 08/04), Bleeder Treatment Report, which is hereby incorporated by reference, not later than two hours prior to post time of the race for which the horse is entered.

(5) Upon the request of a Board representative, the veterinarian administering the authorized bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.

(f) A horse placed on the official authorized bleeder medication list must remain on the list unless the licensed trainer and/or veterinarian requests that the horse be removed. The request must be made using CHRB form 194 (New 08/04), and must be submitted to the official veterinarian prior to the time of entry. A horse removed from the authorized bleeder medication list may not be placed back on the list for a period of 60 calendar days unless the official veterinarian determines it is detrimental to the welfare of the horse. If a horse is removed from the authorized bleeder medication list a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.

(g) If the official veterinarian observes a horse bleeding externally from one or both nostrils during or after a race or workout, and determines such bleeding is a direct result of EIPH, the horse shall be ineligible to race for the following periods:

- First incident—14 days;
- Second incident within 365-day period—30 days;
- Third incident within 365-day period—180 days;
- Fourth incident within 365-day period—barred for racing lifetime.

For the purposes of counting the number of days a horse is ineligible to run, the day after the horse bled externally is the first day of such period. The voluntary administration of

authorized bleeder medication without an external bleeding incident shall not subject a horse to the initial period of ineligibility as defined under this subsection.

Authority: Sections 19440 and 19562,
Business and Professions Code.

Reference: Sections 19580 and 19581,
Business and Professions Code.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE DESIGNATION OF
FUROSEMIDE
AS THE ONLY AUTHORIZED BLEEDER MEDICATION

Medication and Track Safety Committee Meeting
July 19, 2013

BACKGROUND

Business and Professions Code section 19580 provides that the Board shall adopt regulations to establish policies, guidelines and penalties relating to equine medication to preserve and enhance the integrity of horse racing in this state. Business and Professions Code section 19581 states that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. Business and Professions Code section 19582 provides that violations of Business and Professions Code section 19581, as determined by the Board, are punishable in regulations adopted by the Board, and that the Board may classify violations based upon each class of prohibited drug substances, prior violations within the previous three years and prior violations within the violator's lifetime.

Board Rule 1843.5, Medication, Drugs and Other Substances Permitted After Entry in a Race, limits medications and other substances that can be administered within 24 hours of racing. Subsection 1843.5(h) provides that "In addition to the substances named in subsection (c)(1), any of the following substances may be administered under Rule 1845 of this division within 24 hours of the post time of the race in which the horse is entered: 1) Furosemide; (2) Other Authorized Bleeder Medication."

ANALYSIS

Furosemide, also known as Lasix or Salix, is a diuretic frequently administered to horses to mitigate exercise-induced pulmonary hemorrhage (EIPH), commonly known as bleeding. In addition to furosemide, the use of estrogens has been allowed on race day, though there is no regulation or documentation specifically authorizing estrogens as bleeder medications. The Association of Racing Commissioners International (ARCI) has recommended furosemide be the only authorized bleeder medication.

RECOMMENDATION

This item is presented for committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1843.5. MEDICATION, DRUGS AND OTHER SUBSTANCES PERMITTED AFTER
ENTRY IN A RACE.

Medication and Track Safety Committee Meeting
July 19, 2013

1843.5. Medication, Drugs and Other Substances Permitted After Entry in a Race.

(a) In this rule a horse is deemed "entered" in a race 48 hours before post time of the running of the race.

(b) Water and feed, including hay, grain, and feed supplements that do not contain prohibited drugs may be provided to the horse up until post time.

(c) Drugs, medications or any other substances shall not be administered by any means to a horse within 48 hours of the post time of the race in which the horse is entered except:

(1) Topical medications, (such as antiseptics, ointments, salves, leg rubs, leg paints, hoof dressings, liniments and antiphlogistics) which do not contain anesthetics or other prohibited drugs.

(d) Any drug, medication or any other substance found in a test sample taken from a horse which is not authorized under this rule shall be deemed a prohibited drug substance.

(e) Any of the following substances may be administered by injection until 24 hours before the post time of the race in which the horse is entered:

- (1) Injectable Vitamins;
- (2) Electrolyte Solutions;
- (3) Amino Acid Solutions;

(4) Tetanus Antitoxin or Tetanus Toxoid, if the horse has sustained a wound.

(f) Approved anti-ulcer medications may be administered until 24 hours before the post time of the race in which the horse is entered. A list of approved anti-ulcer medications, and route of administration, shall be posted at each racetrack in the office of the official veterinarian.

(g) One of the following non-steroidal anti-inflammatory medications may be administered until 24 hours before the post time of the race in which the horse is entered under Rule 1844 of this division:

(1) Phenylbutazone;

(2) Flunixin;

(3) Ketoprofen.

(h) In addition to the substances named in subsection (c)(1), any of the following substances may be administered under Rule 1845 of this division within 24 hours of the post time of the race in which the horse is entered:

(1) Furosemide;

(2) Other Authorized Bleeder Medication.

(i) Drugs, medications or any other substances may not be administered to a horse by injection, via nasogastric tube (stomach tubing) or any other means after the horse is entered to race, except under these regulations.

Authority: Sections 19580, 19581 and 19582,
Business and Professions Code.

Reference: Sections 19580, 19581 and 19582,
Business and Professions Code; Section 337 f, g and h, Penal Code.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING ESTABLISHING
RECIPROCITY FOR VETERINARIAN'S LISTS
WITH OTHER RACING JURISDICTIONS
AND TO NOT ALLOW ENTRY OF A HORSE ON THE
VETERINARIAN'S LIST IN ANOTHER JURISDICTION FROM
ENTERING A RACE WITHOUT THE APPROVAL OF THE STEWARDS

Medication and Track Safety Committee Meeting
July 19, 2013

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper for it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations and conditions under which all horse races with wagering on their results shall be conducted in this State.

Board Rule 1866, Veterinarians List, states the official veterinarian shall maintain a Veterinarian's List of those horses determined to be unfit to compete in a race due to physical distress, unsoundness, or infirmity. Subsection 1866(c) provides that a horse placed on the Veterinarian's List shall be removed from the list only after having established or demonstrated to the satisfaction of the official veterinarian or the racing veterinarian that the horse is then raceably sound and in fit physical condition to exert its best effort in a race.

ANALYSIS

California does not have an official Veterinarian's List reciprocity policy for horses on the Veterinarian's List in other states. This potentially allows compromised horses to avoid official veterinary scrutiny by moving to other racing jurisdictions which do not always monitor or respect out-of-state Veterinarians Lists. The Equine Medical Director has proposed that any horse on the Veterinarian's List in another jurisdiction shall not to be allowed to enter a race in California without the permission of the stewards. A horse on the Veterinarian's List in another jurisdiction may not be allowed to start until stewards have consulted with the official veterinarian or Equine Medical Director who shall make every effort to resolve the issue with the appropriate persons in that jurisdiction. When possible, a horse on the Veterinarian's List in another state must satisfy the conditions of that state so the horse can be removed from that jurisdictions Veterinarian's List. The prohibition on the running of such horses in California may be accomplished by amending Rule 1588, Horse Ineligible to Start in a Race, to prohibit a horse that is on a Veterinarian's List in another racing jurisdiction from entering a race in California without the permission of the stewards.

RECOMMENDATION

This item is presented for committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED AMENDMENT OF
RULE 1588. HORSE INELIGIBLE TO START IN A RACE.

Medication and Track Safety Committee Meeting
July 19, 2013

1588. Horse Ineligible to Start in a Race.

In addition to any other valid ground or reason, a horse is ineligible to start in any race if:

(a) Such horse is not registered by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, or the Arabian Horse Registry of America if an arabian horse, or the American Paint Horse Association if a paint horse.

(b) The parentage verification to both the sire and the dam of all horses foaled in 1992 and thereafter has not been certified by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an arabian horse, or the American Paint Horse Association if a paint horse.

(c) Unless the stewards permit otherwise, the certificate of foal registration, eligibility papers, or other registration issued by the official registry for such horse is not on file with the racing secretary at the time of entry;

(d) Such horse has been entered or raced at any recognized race meeting under any name or designation other than the name or designation duly assigned by and registered with the official registry;

(e) The certificate of foal registration, eligibility papers or other registration issued by the

official registry has been altered, erased, or forged;

(f) The identification markings of the horse do not agree with the identification markings as set forth in the registration of such horse.

(g) Unless he is eligible to enter said race and is duly entered for such race.

(h) When such horse is owned in whole or in part by an unlicensed person or is in the care of an unlicensed trainer.

(i) When such horse is on the Steward's List, the Starter's List or the Veterinarian's List.

(l) When such horse is on the Veterinarian's List in another jurisdiction, except with the permission of the stewards.

(j) When, except with prior approval of the stewards, such horse has not been on the grounds of the association or its approved auxiliary stable area for at least 24 hours prior to the time the race is to be run.

Authority: Sections 19440 and 19562,
Business and Professions Code.

Reference: Sections 19440 and 19562,
Business and Professions Code

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
RULE 1866. VETERINARIAN'S LIST

Medication and Track Safety Committee Meeting
July 19, 2013

1866. Veterinarian's List.

(a) The official veterinarian shall maintain a Veterinarian's List of those horses determined to be unfit to compete in a race due to veterinary treatment, physical distress, injury, lameness, unsoundness or infirmity.

(1) When a horse is placed on the Veterinarian's List, the trainer of such horse shall be notified within 72 hours.

(b) A horse placed on the Veterinarian's List as injured, unsound or lame may not workout for 72 hours after being placed on the list without the permission of the official veterinarian.

(1) The official veterinarian may require any horse placed on the Veterinarian's List to undergo a veterinary examination prior to resuming training at any facility under the jurisdiction of the Board.

(c) A horse placed on the Veterinarian's List shall be removed from the list only after having established or demonstrated to the satisfaction of the official veterinarian or the racing veterinarian that the horse is then raceably sound and in fit physical condition to exert its best effort in a race.

(d) A horse may be required to perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness, and if so a blood and/or urine post-work test sample shall be taken from the horse and the provisions of this article shall apply to such official workout in the same manner as to a scheduled race.

(e) For the purpose of this regulation, "workout" means an exercise session near full speed, or close to full speed.

Authority: Sections 19440 and 19562,
Business and Professions Code.

Reference: Sections 19440 and 19562,
Business and Professions Code.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE
PURGING OF THE CHRB VETERINARIAN'S LIST AFTER 24 MONTHS OF INACTIVITY
BY A HORSE ON THE LIST THAT IS NOT BARRED PERMANENTLY FROM RACING

Medication and Track Safety Committee Meeting
July 13, 2013

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper for it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations and conditions under which all horse races with wagering on their results shall be conducted in this State.

Board Rule 1866, Veterinarians List, states the official veterinarian shall maintain a Veterinarian's List of those horses determined to be unfit to compete in a race due to physical distress, unsoundness, or infirmity. Subsection 1866(c) provides that a horse placed on the Veterinarian's List shall be removed from the list only after having established or demonstrated to the satisfaction of the official veterinarian or the racing veterinarian that the horse is then raceably sound and in fit physical condition to exert its best effort in a race.

ANALYSIS

Currently horses remain on the California Veterinarian's List indefinitely unless they are removed by meeting specific requirements for removal. The CHRB website's PDF version of the Veterinarian's List is now 85 pages. The Equine Medical Director (EMD) has proposed that any horse that has not had a recorded work in California or raced for 24 months in California be automatically removed from the list. Horses can work while on the Veterinarian's List in California under certain conditions. They can, and frequently do, race in other jurisdictions while on the CHRB Veterinarian's List. The horses are taken out-of-state to other racing jurisdictions which do not always monitor or respect out-of-state Veterinarian's Lists. The EMD stated those horses would be handled on a case by case basis. These criteria can be easily monitored within the InCompass system; the CHRB's CHRIS system will be more problematic, but can still be accomplished if only by a case by case basis. (InCompass is a technology solutions company formed by The Jockey Club in 2011 to centralize software applications and systems that serve North American racetracks. It includes the Equine Injury Database. The system has been expanded to include racing and non-racing injuries, training and backstretch injuries. Reports are available to veterinarians and track management for quality control and analysis.)

RECOMMENDATION

This item is presented for committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
RULE 1866. VETERINARIAN'S LIST

Medication and Track Safety Committee Meeting
July 19, 2013

1866. Veterinarian's List.

(a) The official veterinarian shall maintain a Veterinarian's List of those horses determined to be unfit to compete in a race due to veterinary treatment, physical distress, injury, lameness, unsoundness or infirmity.

(1) When a horse is placed on the Veterinarian's List, the trainer of such horse shall be notified within 72 hours.

(b) A horse placed on the Veterinarian's List as injured, unsound or lame may not workout for 72 hours after being placed on the list without the permission of the official veterinarian.

(1) The official veterinarian may require any horse placed on the Veterinarian's List to undergo a veterinary examination prior to resuming training at any facility under the jurisdiction of the Board.

(c) A horse placed on the Veterinarian's List shall be removed from the list only after having established or demonstrated to the satisfaction of the official veterinarian or the racing veterinarian that the horse is then raceably sound and in fit physical condition to exert its best effort in a race.

(d) A horse may be required to perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness, and if so a blood and/or urine post-work test sample shall be taken from the horse and the provisions of this article shall apply to such official workout in the

same manner as to a scheduled race.

(e) For the purpose of this regulation, "workout" means an exercise session near full speed, or close to full speed.

Authority: Sections 19440 and 19562,
Business and Professions Code.

Reference: Sections 19440 and 19562,
Business and Professions Code.

STAFF ANALYSIS
DISCUSSION AND ACTION REGARDING THE FEASIBILITY OF
REQUIRING ANY HORSE WHICH HAS NOT STARTED IN A RACE
FOR 12 MONTHS, TO UNDERGO A RACING SOUNDNESS EXAMINATION
PRIOR TO ENTRY

Medication and Track Safety Committee
July 19, 2013

BACKGROUND

Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include, but not be limited to adopting rules and regulations for the protection off the public and the control of horse racing and pari-mutuel wagering, and the administration and enforcement of all laws, rules and regulations affecting horse racing and pari-mutuel wagering. Board Rule 1541, Power to Order Examination of Horse, provides that at any time the stewards may order an examination of any horse within the inclosure, by such persons as they see fit. Rule 1846, Racing Soundness Examination, requires every horse entered to race to be subject to a veterinary examination for racing soundness and health on race day not later than two hours prior to official post time for the race in which the horse is entered.

ANALYSIS

Currently there is no restriction on horses entering after long lay-offs. These horses are often recuperating from an injury. Analysis of national Equine Injury Database data indicates a horse that has been away from the races for more than 270 days is at twice the risk of a catastrophic injury in its first three starts back. The Board's Equine Medical Director has proposed to require that a horse away from the races for more than 365 days must have a racing soundness examination prior to entry. Examinations are currently mandatory under Rule 1846, Racing Soundness Examination, which requires every horse entered to race to be subject to a veterinary examination for racing soundness and health on race day not later than two hours prior to official post time for the race in which the horse is entered. They may also be ordered by the stewards under Board Rule 1541. The official or association veterinarian may, at his or her discretion after an examination, require the horse to work consistent with Board Rule 1866, Veterinarian's List, subsections (d) and (e) as if the horse is on the veterinarian's list. Subsection (d) provides that the horse may be required to satisfactorily perform a workout or qualifying race to demonstrate its physical fitness, and if so a blood and/or urine post work test sample shall be taken.

RECOMMENDATION

This item is presented for committee discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 5. RACING OFFICIALS
RULE 1541. POWER TO ORDER EXAMINATION OF HORSE

Medication and Track Safety Committee
July 19, 2013

1541. Power to Order Examination of Horse.

At any time the stewards may order an examination of any horse within the inclosure, by such persons as they see fit, and may order the examination of any ownership papers, certificates, documents or eligibility, contracts or leases pertaining to such horse, and they may require an affidavit of ownership or interest in any horse.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
RULE 1846. RACING SOUNDNESS EXAMINATION

Medication and Track Safety Committee Meeting
July 19, 2013

1846. Racing Soundness Examination.

Each and every horse entered to race shall be subjected to a veterinary examination for racing soundness and health on race day not later than two hours prior to official post time for the race in which the horse is to compete. Such an examination shall be referred to as the "Racing Soundness Exam".

(a) The examination shall include but not be limited to close inspection of the eyes, examination of the legs, recording of the temperature of the horse and observation of the horse at rest and while in motion.

(b) All such examinations shall be conducted in or near the stall to which the animal is assigned and shall be conducted by the Official Veterinarian or the Racing Veterinarian.

(c) The Official Veterinarian shall keep or cause to be kept a continuing health and racing soundness record of each horse so examined.

Authority: Section 19440,
Business and Professions Code.

Reference: Sections 19401 and 19440,
Business and Professions Code.
Sections 337f, g, and h,
Penal Code.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
RULE 1866. VETERINARIAN'S LIST

Medication and Track Safety Committee Meeting
July 19, 2013

1866. Veterinarian's List.

(a) The official veterinarian shall maintain a Veterinarian's List of those horses determined to be unfit to compete in a race due to veterinary treatment, physical distress, injury, lameness, unsoundness or infirmity.

(1) When a horse is placed on the Veterinarian's List, the trainer of such horse shall be notified within 72 hours.

(b) A horse placed on the Veterinarian's List as injured, unsound or lame may not workout for 72 hours after being placed on the list without the permission of the official veterinarian.

(1) The official veterinarian may require any horse placed on the Veterinarian's List to undergo a veterinary examination prior to resuming training at any facility under the jurisdiction of the Board.

(c) A horse placed on the Veterinarian's List shall be removed from the list only after having established or demonstrated to the satisfaction of the official veterinarian or the racing veterinarian that the horse is then raceably sound and in fit physical condition to exert its best effort in a race.

(d) A horse may be required to perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness, and if so a blood and/or urine post work test sample shall be taken from the horse and the provisions of this article shall apply to such official workout in the

same manner as to a scheduled race.

(e) For the purpose of this regulation, "workout" means an exercise session near full speed, or close to full speed.

Authority: Sections 19440 and 19562,
Business and Professions Code.

Reference: Sections 19440 and 19562,
Business and Professions Code.