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CHRB NEWS RELEASE

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BOARD REVIEWS JOCKEY BENEFITS ISSUES

INGLEWOOD, CA – California has the “model system” for jockey health and accident benefits that all other states should be trying to duplicate, a spokesman for the Jockeys’ Guild advised state racing commissioners Thursday during a California Horse Racing Board review of the benefits package and the Guild’s responsibilities in that area.

Recent revelations that jockeys in many other states do not have sufficient benefits to cover the costs of catastrophic injuries sustained in riding accidents prompted the CHRB to review the benefits offered in California and to question how the expenditure of related public funds is monitored to ensure they are being used properly.

“This has been a huge black eye for racing and the Jockeys’ Guild is at the center of it,” said Commissioner Richard Shapiro as he began questioning Guild Vice President Albert Fiss about recent national events and published articles critical of Guild management. “Obviously, we want to make sure that jockeys (in California) are receiving all the benefits to which they are entitled.”

Drew Couto, president of the Thoroughbred Owners of California, testified to having similar concerns and asked the Guild to provide documentation detailing precisely how the public funds are managed.

Jockeys in California are covered under the workers’ compensation insurance policies required for all trainers in the state, which pays all medical bills resulting from a riding accident. Beyond that, the Thoroughbred Racing Associations provides up to \$1 million in additional coverage to compensate jockeys at thoroughbred racetracks who suffer catastrophic injuries, though that amount is greatly reduced if a jockey does not sign a waiver indicating he or she will not take legal action against a racetrack except in instances of gross negligence.

Additionally, state law authorizes the CHRB to allocate a portion of uncashed pari-mutuel tickets revenue – about \$1 million a year – to the Guild for health coverage for California jockeys and their families. As part of its review of the expenditure of these public funds, the CHRB requested that Guild President L. Wayne Gertmenian and Fiss attend the meeting Thursday to address serious issues raised by the recent events and articles. Gertmenian did not attend.

Fiss, focusing on the California program, said, “California is the model system. California offers the three levels of coverage that need to be done in every other state – on-track accident coverage at workers’ compensation levels, family health coverage, and catastrophic injury insurance.”

Shapiro questioned whether all jockeys in California and the country have the business acumen to fully understand the limitations of their coverage and the effect a loss of income would have on their life.

“The CHRB and the industry have an obligation to make certain the Jockeys’ Guild disseminates information to allow the jockeys to make appropriate and informed decisions on their own behalf,” said Shapiro.

In other business, the Board approved the application of the Bay Meadows Racing Association to conduct a race meet at Bay Meadows from February 2 through May 8, and approved that same association to offer satellite wagering at the facility during the off season. Jack Liebau is the president of this new operating association. Bernie Thurman is the vice president and general manager.

There was a discussion of Santa Anita’s announcement Thursday that the track will be continuing a voluntary program begun by other racing associations under which horses are tested for the level of total carbon dioxide (TCO₂) concentrations in the blood to determine whether an alkalizing substance had been administered in an effort to improve performance. Santa Anita will test all horses in every race. If a horse tests high for TCO₂, all horses in the care of that trainer could be required to go to a detention barn beginning the day before they race. Repeated infractions could lead to a ban of the trainer from Santa Anita for one year. The CHRB is in the process of adopting a TCO₂ regulation.

Commissioner William Bianco reported on the work of the Ad Hoc Security Committee and efforts to improve security at racetracks. Given the public perception that some trainers are improperly medicating horses to improve their performance, the committee has been meeting for nearly one year and considering ways to improve security and to monitor activities before races. Bianco noted that racetracks had experimented with camera surveillance systems, but those systems proved to be either unsatisfactory or too expensive to fully install.

“My recommendation is to go in a different direction by mandating detention barns at all racetracks,” said Bianco. “I know this will be expensive, but that’s my recommendation to this Board. I think a lot of people out there would like to see this at all tracks for all races.”

Commissioner Jerry Moss said a detention barn for all horses entered to run would unfairly penalize trainers who play strictly by the rules. Chairman Harris said he was “not sold that this is the way to go.” Commissioner Shapiro said he is very much in favor of pre-race detention, if not for all horses, then at least for horses entered by any trainer with a horse that tests positive for drugs, including but not limited to TCO₂. Shapiro also supports daily, random, pre-race testing of all horses in at least one race per day.

Bianco went on to praise the racing associations for “stepping up to the plate” with the voluntary TCO2 testing and other enhanced security measures. He also singled out trainer Darrel Vienna, owner Aase Headley, and Ed Halpern, executive director of the California Thoroughbred Trainers Association, for their work on the Ad Hoc Security Committee.

Bianco said there are many other matters relating to security and the integrity of horse racing that need to be addressed, such as the proper identification of horses coming and going from the stable areas. He wants the Board to review those matters. Assistant Executive Director Roy Minami said he would refer the detention barn recommendation and the other matters to the CHRB’s Security and Licensing Committee.

While acknowledging the “great strides we are making in security and medication,” Commissioner Shapiro said there is another major issue the Board and the industry need to address, namely declining attendance and the need to “improve our marketing and get people to come to the racetrack.” Toward that end, he asked for the creation of – and offered to chair – an ad hoc committee to study, examine, and recommend measures to improve California horse racing’s popularity and performance. Commissioner Moss agreed to serve on the committee with him. Shapiro asked that anyone wishing to serve on the committee contact Mike Marten, the CHRB public information officer, at (714) 890-7004. Shapiro indicated he particularly wants representatives from each of the racetracks to serve on the committee.

The Board approved two-year license renewals for the three Advance Deposit Wagering (ADW) operators currently providing account wagering services in California: TVG, Youbet.com, and Xpressbet. TVG gave an extensive presentation on its accomplishments, noting that TVG now reaches more than 13 million households with 14 hours of daily programming showing 4,300 live races a year. All of the ADW operators were encouraged by Commissioners Marie Moretti, John Sperry, and Bianco to fulfill their early promises to provide more jobs to California workers, including organized labor.

The commissioners approved a resolution to former Commissioner Roger Licht in appreciation for his four years of service on the Board. His term expired this year.

The Board approved amendments to regulations to conform with the initial recommendations of the Racing Medication and Racing Consortium, making California the first major jurisdiction to bring its regulations in line with the RMTC – a national organization composed of industry representatives, charged with developing uniform national medication rules, policies, and testing procedures.

One amendment lowers the administrative levels of two medications, flunixin and ketoprofen, which are allowed to be present in the post-race blood samples. The current level of flunixin allowed (0.5 micrograms per milliliter of blood plasma or serum) will be lowered to 20 nanograms per milliliter. The current level of ketoprofen (50 nanograms per milliliter of blood plasma or serum) will be lowered to 10 nanograms per milliliter.

Under another amendment, a horse will no longer need to demonstrate exercise induced pulmonary hemorrhage (EIPH), or bleeding, to qualify for the use of bleeder medication. It is agreed that all racehorses will experience EIPH at some time during their training and racing career. Therefore, if a trainer, in consultation with his or her veterinarian, feels that it is in the best interest of the horse to compete with furosemide, the horse will be allowed to race with furosemide in accordance with the rules. The trainer must notify the official veterinarian of this intention prior to entry. Upon the request of a CHRB representative, the veterinarian administering the bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.

The specific gravity of urine samples from horses competing with bleeder medication and that are selected for post race testing will be measured to ensure samples are sufficiently concentrated for proper chemical analysis. If the specific gravity of the urine is below 1.010, the furosemide level of the corresponding post-race blood sample from the horse will be measured. A furosemide level over 100 nanograms per milliliter of blood plasma or serum will be a violation.

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