

**NOTE:** Government Code section 11340.85 requires the Board to post all notices, initial statement of reasons and texts of rules noticed to the public **until 15 days after the proposed regulations are filed with the Secretary of State by the Office of Administrative Law.**

CALIFORNIA HORSE RACING BOARD  
TITLE 4, DIVISION 4, CALIFORNIA CODE OF REGULATIONS

NOTICE OF PROPOSAL TO AMEND  
RULE 1588, HORSE INELIGIBLE TO START IN A RACE  
AND THE PROPOSED ADDITION OF  
RULE 1842.1, ADDITIONAL REPORTING FOR INTRA-ARTICULAR TREATMENTS

The California Horse Racing Board (Board or CHRB) proposes to amend/add the regulations described below after considering all comments, objections or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to amend Rule 1588, Horse Ineligible to Start in a Race, and to add Rule 1842.1, Additional Reporting for Intra-Articular Treatments. The proposed amendment to Rule 1588 will add subsections 1588(m) and (n). The new subsection 1588(m) provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days, and has not raced in California since the conclusion of that absence in any race, is ineligible to start in a race until such horse, prior to entry, has undergone an examination by the official veterinarian or the racing veterinarian, and declared raceably sound and in fit physical condition to exert its best effort in a race. The official veterinarian or racing veterinarian may have the horse perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness. Post-work blood and urine test samples shall be taken from the horse and the provisions of Article 6 shall apply to such official workouts in the same manner as a scheduled race. For purposes of Rule 1588, “workout” means an exercise session near full speed or close to full speed. The new subsection 1588(n) provides that a horse that has received an intra-articular injection (joint injection) within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered shall be ineligible to start in such race. The proposed addition of Rule 1842.1 will require veterinarians administering medication or treatment into an articular structure of a horse located within the inclosure to provide an intra-articular treatment record to the trainer, who shall maintain such records of the treatment for a minimum of one year. The trainer shall make such records available to the examining veterinarian for the purpose of assisting with pre-race veterinary examinations or other examinations as required by the Board. The record of the inter-articular treatment shall be recorded on the form CHRB-24A, Intra-Articular Treatment Record (New 12/17), which is incorporated by reference in Rule 1842.1, and shall state the name of the horse treated, the date and time of the treatment, the intra-articular structures treated, the medication administered, dose, and the reason for the treatment.

## PUBLIC HEARING

The Board will hold a public hearing starting at **9:30 a.m., Thursday, April 19, 2018**, or as soon thereafter as business before the Board will permit, at the **Santa Anita Park Race Track, 285 West Huntington Drive, Arcadia, California**. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

## WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes at **5:00 p.m. on April 16, 2018**. The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

Harold Coburn  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
Telephone: (916) 263-6026  
Fax: (916) 263-6022  
E-mail: [haroldc@chr.ca.gov](mailto:haroldc@chr.ca.gov)

## AUTHORITY AND REFERENCE

### Rule 1588:

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

Reference: Sections 19440, 19562 Business and Professions Code.

### Rule 1842.1:

Authority: Sections 19440, 19562, and 19580, Business and Professions Code.

Reference: Sections 19440, 19562, and 19580, Business and Professions Code.

## INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

Business and Professions Code section 19440 provides 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 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 states 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 provides that the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in the state.

The CHRB tracks horse fatalities that occur at any facility under its jurisdiction. Horses may suffer fatalities while racing, training, or due to other non-exercise related cause, including stable area accidents or medical maladies such as gastro-intestinal, respiratory, or neurological diseases. One of the primary purposes of tracking such fatalities is to identify health and safety risks for horse and rider, and to implement preventive or corrective actions. At the February, 2017 CHRB Medication, Safety and Welfare Committee meeting, staff reported that a survey of racehorse fatalities occurring 2013 through 2016 revealed that 20 percent of the losses were horses that raced after being laid up for 120 days or more. At the recommendation of the Board's Equine Medical Director, the Committee determined it would put forward a proposal to amend Rule 1588. The proposed amendment will aid in the reduction of race horse injuries and fatalities by providing that a horse will not be allowed to start in a race after a 120-day layoff, unless it is found to be raceably sound and in fit physical condition to exercise its best efforts in a race.

The proposed amendment to Rule 1588 would add a new subsection 1588(m). The new subsection provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days, and has not raced in California since the conclusion of that absence in any race, is ineligible to start in any race until such horse, prior to entry, has undergone an examination by the official veterinarian or the racing veterinarian and declared raceably sound and in fit physical condition to exert its best effort in a race. A "recognized race meeting" is the entire period of a race meeting conducted by an association within the inclosure of the designated grounds, for which the Board has granted a license. The term may include a meeting conducted by an association in another jurisdiction recognized by the Board. The proposed amendment also gives the official veterinarian or racing veterinarian the ability to have the horse perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness. Post-work blood and urine test samples shall be taken from such horse and the provision of Article 6 shall apply to such official workouts in the same manner as a scheduled race. For purposes of clarity, subsection 1588(m) defines "workout" as an exercise session near full speed or close to full speed.

In the fall of 2012, the New York Task Force on Racehorse Health and Safety (Task Force) made a number of recommendations based on its investigation of breakdowns that occurred at the Aqueduct 2011-2012 Fall-Winter race meeting at Aqueduct Race Course in New York. In addition to investigating the rash of breakdowns, the Task Force was charged with advising on policies relating to necropsies, track conditions, and pre-race examination of horses, as well as practices relating to veterinary procedures and equine drug use. The Task Force's recommendations included enhanced restrictions on the use of intra-articular corticosteroids, which are anti-inflammatory drugs administered by entering a joint. Specifically, the recommendations included trainer reporting requirements for intra-articular treatments, as well as a prohibition on racing after an intra-articular corticosteroid injection. Also, in 2012, the Racing, Medication and Testing Consortium (RMTC) issued its own set of corticosteroid thresholds. The RMTC is an industry organization that works to develop and promote uniform rules and testing standards at the national level. It coordinates research and educational programs that seek to ensure the integrity of racing and the health and welfare of racehorses and participants, and to protect the interests of the racing public. In 2012, the Board adopted the RMTC standards by amending Rule 1844, Authorized Medication, to provide for levels of corticosteroids that may be present in official test samples. While the corticosteroid thresholds contained in the amendment to Rule 1844 effectively stopped corticosteroids from being used within days of a race, the rule did not provide a "stand-down" time as recommended by New York's Task Force. Rule 1844 treated corticosteroid injections no

differently than other authorized medications, which can be administered until 48 of post-time pursuant to Rule 1843.5, Medicaiton, Drugs and Other Substances Permitted After Entry in a Race. To address the issue, the proposed amendment to Rule 1588 adds a new subsection 1588(n). The new subparagraph provides that a horse that has received an intra-articular injection within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered, is ineligible to start in such race. The proposed addition of subsection 1588(n) leaves Rule 1844's allowable levels of corticosteroids in place while providing a "stand-down" time as recommended by New York's Task Force.

The proposed addition of Rule 1842.1 would require all Board licensed veterinarians who administer a medication or treatment into an articular structure of a horse to provide the horse's trainer with a written record of the treatment. The procedure shall be recorded on the form CHRB-24A, Intra-Articular Treatment Record (New 12/17) (CHRB-24A), which is incorporated by reference in Rule 1842.1. The trainer shall maintain all intra-articular treatment records of horses under his or her care for a minimum of one year from the date of the treatments. The records of intra-articular treatments shall be made available to examining veterinarian for the purpose of pre-race, or other examinations as required pursuant to the Board's rules and regulations. The CHRB-24A requires the veterinarian who administers the intra-articular treatment to record the date and time of treatment, the intra-articular structures treated, the medication administered, the dose and the reason for the treatment.

#### POLICY STATEMENT OVERVIEW OF ANTICIPATED BENEFITS OF PROPOSAL

The proposed amendment to Rule 1588 adds a new subsection 1588(m), which provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days and has not raced in California since the conclusion of that absence in any race, is ineligible to start in any race until such horse, prior to entry, has undergone an examination by the official veterinarian or the racing veterinarian and is declared raceably sound and in fit physical condition to exert its best effort in a race. The new subsection also states that the official veterinarian or racing veterinarian may require the horse to perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness. Post-work blood and urine test samples shall be taken from such horse and the provisions of Article 6 shall apply to such official workouts in the same manner as a scheduled race. Workout, for purposes of Rule 1588 means an exercise session near full speed or close to full speed.

The proposed addition of subsection 1588(m) will promote the health and safety of racehorses and racetrack safety in general. The amendment will aid in the reduction of injuries to horses, or worse, catastrophic loss of racehorses, by requiring horses that have not raced for 120 or more consecutive days to be examined by the official veterinarian or racing veterinarian, and declared raceably sound and in fit physical condition to exert their best effort, before being allowed to enter to race. In turn, the health and safety of jockeys will be advanced, as a reduction in equine injuries and sudden deaths may also mean lower jockey injury rates. The required examination provides an opportunity for the examining veterinarian to evaluate the condition of the horse, which by virtue of being off 120 days or longer, may have had physical challenges that required time to heal or recuperate. Blood and urine test samples taken after a workout or qualifying race will provide additional information as to the fit physical condition of a horse that has not raced for 120 or more

consecutive days. The addition of subsection 1588(m) serves to ensure that a horse that has not raced for 120 days or longer is raceably sound and in fit physical condition to exert its best efforts in a race. Ensuring the health of race horses protects the financial interests of racing associations, horse owners, trainers and jockeys. Racing associations depend on an inventory of sound horses to fill races and generate handle; owners and trainers suffer financial losses when horses are unable to compete for a purse; and injured jockeys lose income when they are unable to ride.

The proposed amendment to Rule 1588 adds a new subsection 1588(n), which provides that a horse that has received an intra-articular injection within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered, is ineligible to start in the race. An intra-articular injection is a procedure used in the treatment of inflammatory joint conditions; however, the procedure may not necessarily heal the problem that is causing inflammation. In addition, inflammation is part of the healing process, so there is a relationship between the proposed timeframe of five days and allowing healing. The addition of subsection 1588(n) will promote the health and safety of race horses. The health and safety of jockeys will also be advanced, as a reduction in equine injuries and sudden deaths may also mean lower jockey injury rates. Administering the procedure not later than five days prior to the scheduled post-time provides an opportunity for the medication to have an effect. In addition, the intra-articular injections are not administered within 48 hours of post-time, and this gives the examining veterinarian an opportunity to evaluate the horse without the injection being administered so close to the prerace examination (Rule 1846, Racing Soundness Examination, provides that the horse shall be subject to a veterinary examination for racing soundness on race day not later than two hours prior to official post-time for the race in which the horse is entered.) Ensuring the health of race horses protects the financial interests of racing associations, horse owners, trainers and jockeys. Racing associations depend on an inventory of sound horses to fill races and generate handle; owners and trainers suffer financial losses when horses are unable to compete for a purse; and injured jockeys lose income when they are unable to ride.

The proposed addition of Rule 1842.1 would require all Board licensed veterinarians who administer a medication or treatment into an articular structure of a horse to provide the horse's trainer with a written record of the treatment. The procedure shall be recorded on the form CHRB-24A, which is incorporated by reference in Rule 1842.1. The trainer shall maintain all intra-articular treatment records of horses under his or her care for a minimum of one year from the date of the treatments. The records of intra-articular treatments shall be made available to examining veterinarian for the purpose of pre-race, or other examinations as required pursuant to the Board's rules and regulations. The proposed addition of Rule 1842.1 will work in conjunction with the amended Rule 1588 to protect the health and safety of horse and rider. The recording of intra-articular procedures on the form CHRB-24A will make race-day examinations more meaningful, as the trainer can provide a record of such procedures for the examining veterinarian. In turn, the examining veterinarian can make a more complete assessment of the horse. Thorough pre-race examinations ensure the soundness of horses entered to race. Sound racehorses help protect the health and safety of jockeys, as well as the financial interests of racing associations, owners and trainers. The form CHRB-24A, is incorporated by reference in Rule 1842.1, as it would be cumbersome, unduly expensive or otherwise impractical to publish the document in the California Code of Regulations.

## CONSISTENCY EVALUATION

During the process of developing these regulations and amendments, the CHRB has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

## DISCLOSURE REGARDING THE PROPOSED ACTION/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Section 17500 through 17630: none.

Other non-discretionary cost or savings imposed upon local agencies: none.

Cost or savings in federal funding to the state: none.

The Board has made an initial determination that the proposed amendment to Rule 1588 and the addition of Rule 1842.1 will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: New York Task Force on Racehorse Health and Safety Official Report. Investigation of Equine Fatalities at Aqueduct 2011-2012 Fall/Winter Meet.

Cost impact on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: none.

## RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendment to Rule 1588 and the addition of Rule 1842.1 will not (1) impact the creation of, or eliminate jobs within the State of California; (2) impact the creation of new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

The proposed amendment to Rule 1588 and the addition of Rule 1842.1 is a benefit to the health and welfare of California residents who hold occupational licenses as jockey, apprentice jockeys or other licensees that require close proximity to race horses, because the proposed regulations

safeguard the health and safety of the California's racing equines. Sound racehorses help prevent accidents and injuries to horse and rider.

Effect on small businesses: none. The proposal to amend Rule 1588 and the addition of Rule 1842.1 does not affect small businesses because horse racing is not a small business under Government Code Section 11342.610.

#### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome on affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

#### CONTACT PERSON

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Harold Coburn  
Regulation Analyst  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
Telephone: (916) 263-6026  
Fax: (916) 263-6022  
E-mail: haroldc@chr.ca.gov

If the person named above is not available, interested parties may contact:

Andrea Ogden, Manager  
Policy, Regulations and Legislation  
Telephone: (916) 263-6033

#### AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed texts of the

regulations, and the initial statement of reasons. Copies of these documents, or any of the information upon which the proposed rulemaking is based on, may be obtained by contacting Harold Coburn, or the alternative contact person at the address, phone number or e-mail address listed above.

#### AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed texts, the modified texts, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulations. Requests for copies of any modified regulations should be sent to the attention of Harold Coburn at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

#### AVAILABILITY OF FINAL STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be available after the Board has adopted the proposed regulation in its current or modified form, should be sent to the attention of Harold Coburn, at the address stated above.

#### BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of the notice, the proposed text of the regulations and the initial statement of reasons. The Board's web site address is: [www.chrb.ca.gov](http://www.chrb.ca.gov).

## INITIAL STATEMENT OF REASON

### RULE 1588: Horse Ineligible to Start in a Race

#### SPECIFIC PURPOSE OF THE PROPOSED NEW SUBSECTIONS

The Board proposes to amend Rule 1588, Horse Ineligible to Start in a Race. The proposed amendment to Rule 1588 will add subsections 1588(m) and (n). The new subsection 1588(m) provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days, and has not raced in California since the conclusion of that absence, is ineligible to start in a race until such horse, prior to entry, has undergone an examination by the official veterinarian or the racing veterinarian, and is declared raceably sound and in fit physical condition to exert its best effort in a race. The official veterinarian or racing veterinarian may have the horse perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness. Post-work blood and urine test samples shall be taken from the horse and the provisions of Article 6 shall apply to such official workouts in the same manner as a scheduled race. Subsection 1588(m) defines “workout” as an exercise session near full speed or close to full speed. The new subsection 1588(n) provides that a horse that has received an intra-articular injection within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered, shall be ineligible to start in such race.

The Board proposes to add Rule 1842.1, Additional Reporting for Intra-Articular Treatment. Rule 1842.1 will require veterinarians administering medication or treatment into an articular structure of a horse located within the inclosure to provide an intra-articular treatment record to the trainer, who shall maintain such records of the treatment for a minimum of one year. The trainer shall make such records available to the examining veterinarian for the purpose of assisting with pre-race veterinary examinations or other examinations as required by the Board. The record of the inter-articular treatment shall be recorded on the form CHRB-24A, Intra-Articular Treatment Record (New 12/17), and shall state the name of the horse treated, the date and time of the treatment, the intra-articular structures treated, the medication administered, dose, and the reason for the treatment.

#### PROBLEM

During fiscal year 2015-2016, California’s horseracing industry experienced an increase in horse fatalities when compared to fiscal year 2014-2015. This resulted in the Board initiating a series of informal reviews of equine fatalities to determine if there might be a common trait or link to the fatalities. Findings for the reviews, which covered approximately three calendar years between 2013 and 2016, concluded that a significant number of racing related equine fatalities were of horses that had not raced for a period of two months or longer. In addition, half of the horses with a sizeable gap in activity had been on the Veterinarian’s List prior to returning to racing. After considering the findings, the Board’s Medication, Safety and Welfare Committee proposed amending Rule 1588. The proposed amendment adds a new subsection 1588(m), which provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days, and has not raced in California since the conclusion of that absence, is ineligible to start in any race until such horse, prior to entry, has undergone an examination by the official veterinarian or the

racing veterinarian and is declared raceably sound and in fit physical condition to exert its best effort in a race. The proposed amendment also specifically gives the official veterinarian or racing veterinarian the ability to have such horse perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness. Post-work blood and urine test samples shall be taken from such horse and the provisions of Article 6 shall apply to such official workouts in the same manner as a scheduled race.

In the fall of 2012, the New York Task Force on Racehorse Health and Safety (Task Force) made a number of recommendations based on its investigation of breakdowns that occurred at the Aqueduct 2011-2012 Fall-Winter race meeting at Aqueduct Race Course in New York. In addition to investigating the rash of breakdowns, the Task Force was charged with advising on policies relating to necropsies, track conditions, and pre-race examination of horses, as well as practices relating to veterinary procedures and equine drug use. The Task Force's recommendations included enhanced restrictions on the use of intra-articular corticosteroids, which are anti-inflammatory drugs administered by entering a joint. Specifically, the recommendations included trainer reporting requirements for intra-articular treatments, as well as a prohibition on racing after an intra-articular corticosteroid injection. Also, in 2012, the Racing, Medication and Testing Consortium (RMTC) issued its own set of corticosteroid thresholds. The RMTC is an industry organization that works to develop and promote uniform rules and testing standards at the national level. It coordinates research and educational programs that seek to ensure the integrity of racing and the health and welfare of racehorses and participants, and to protect the interests of the racing public. In 2012, the Board adopted the RMTC standards by amending Rule 1844, Authorized Medication, to provide for levels of corticosteroids that may be present in official test samples. While the corticosteroid thresholds contained in the amendment to Rule 1844 effectively stopped corticosteroids from being used within days of a race, the rule did not provide a "stand-down" time as recommended by New York's Task Force. Rule 1844 treated corticosteroid injections no differently than other authorized medications, which generally can be administered until 48 hours of post time pursuant to Rule 1843.5, Medication, Drugs and Other Substances Permitted After Entry in a Race. To address the issue, the proposed amendment to Rule 1588 adds a new subsection 1588(n). The new subparagraph provides that a horse that has received an intra-articular injection within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered, is ineligible to start in such race. The proposed addition of subsection 1588(n) leaves Rule 1844's allowable levels of corticosteroids in place while providing a "stand-down" time as recommended by New York's Task Force.

Board Rule 1842, Veterinarian Report, provides that every veterinarian who treats a horse within the inclosure shall, in writing on a form prescribed by the Board, report to the official veterinarian in a manner prescribed by him, the name of the horse treated, the name of the trainer, the time of treatment and any other information requested by the official veterinarian. The report is confidential and its content may not be disclosed except in a proceeding before the stewards or the Board, or in exercise of the Board's jurisdiction. The form used to report veterinary treatments is Veterinarian Report CHRB-24 (Rev. 01/16) (CHRB-24). The CHRB-24s are ultimately forwarded to CHRB headquarters where they are retained for a period of one year, and then are subject to confidential destruction. If a completed CHRB-24 is required for any reason, the form must be manually retrieved. The production and distribution of the CHRB-24 is such that it is not available for examining veterinarians conducting pre-race examinations, or other examinations as required.

This means that an official or racing veterinarian conducting a pre-race examination might not be informed that a disqualifying intra-articular procedure was performed on the horse. The proposed addition of Rule 1842.1 will provide a record of articular treatments that can be readily available for use by examining veterinarians. The regulation will require all Board licensed veterinarians who administer a medication or treatment into an articular structure of a horse to provide the horse's trainer with a written record of the treatment. The procedure shall be recorded on the form CHRB-24A, Intra-Articular Treatment Record (New 12/17) (CHRB-24A). The CHRB-24A requires the veterinarian who administers the intra-articular treatment to record the date and time of treatment, the intra-articular structures treated, the medication administered, the dose and the reason for the treatment. The trainer shall maintain all intra-articular treatment records of horses under his or her care for a minimum of one year from the date of the treatments. The records of intra-articular treatments shall be made available to examining veterinarians for the purpose of pre-race, or other examinations as required pursuant to the Board's rules and regulations. The form CHRB-24A, Intra-Articular Treatment Record (New 12/17) (CHRB-24A) is incorporated by reference in Rule 1842.1, as it would be cumbersome, unduly expensive or otherwise impractical to publish the document in the California Code of Regulations.

## NECESSITY

The proposed amendment of Rule 1588 adds a new subsection 1588(m). The new subsection provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days, and has not raced in California since the conclusion of that absence, is ineligible to start in any race until such horse, prior to entry, has undergone an examination by the official veterinarian or the racing veterinarian and declared raceably sound and in fit physical condition to exert its best effort in a race. During fiscal year 2015-2016, California's horseracing industry experienced an increase in horse fatalities when compared to fiscal year 2014-2015. This resulted in the Board initiating a series of informal reviews of equine fatalities to determine if there might be a common trait or link to the fatalities. Findings for the reviews, which covered approximately three calendar years between 2013 and 2016, concluded that a significant number of equine racing fatalities were of horses that had not raced for 60 consecutive days or longer. When considering the addition of subsection 1588(m), the Board determined that imposing the conditions of the proposed subsection on every horse that had been idle for 60 consecutive days or more might not be appropriate. There may be horses returning from an extended lay-off that had no issues; they were simply turned out to be freshened. Additionally, it may be impracticable for the official veterinarian to examine every horse that had been idle for 60 consecutive days or more. Horses entered to race are already subject to a veterinary examination. Pursuant to Rule 1846, Racing Soundness Examination, each and every horse entered to race shall be examined for racing soundness and health on race day not later than two hours prior to post time. The Committee agreed that official veterinarians may feel as though horses returning to racing after a gap of 120 consecutive days or greater would likely require further examination. The requirement that horses returning to racing after a gap of 120 consecutive days or greater submit to a veterinary examination is necessary to provide the official veterinarian or racing veterinarian with the opportunity to pay close attention to returning horses that may have unresolved health issues. The required examination provides an opportunity to evaluate the condition of the horse which, by virtue of having not raced for 120 continuous days or longer, may have had physical challenges that required time to heal or recuperate. The proposed amendment also specifically gives the official veterinarian or racing veterinarian the ability to have

the horse perform satisfactorily in a workout or qualifying race. This provision is necessary as it will allow the examining veterinarian to judge the horse's physical fitness. A workout is the act of exercising a thoroughbred, or quarter horse to ascertain its speed or physical condition. Qualifying races are non-pari-mutuel standardbred (harness) races in which the horses may be required to participate for a number of reasons, including evaluation of physical condition. Subsection 1588(m) states post-work blood and urine test samples shall be taken from such horse and the provision of Article 6 shall apply to such official workouts or qualifying races in the same manner as a scheduled race. This provision is necessary as it will provide information regarding medications the horse may have been administered during its lay-off, which contributes to a more accurate and thorough examination. The post-work blood and urine test samples taken after a workout or qualifying race will also provide further information as to the physical condition of a horse that has not raced for 120 or more consecutive days. Subsection 1588(m) provides a definition of "workout" for the purposes of clarity. By stating the workout will be near or close to full speed, the definition excludes the possibility of "breezing" the horse at a moderate pace without the urging of the rider. Working the horse at near or full speed will provide the examining veterinarian with a more complete understanding of its physical fitness. The addition of subsection 1588(m) helps to ensure that a horse that has not raced for 120 continuous days or longer, is raceably sound and in fit physical condition to exert its best efforts in a race. The provisions of subsection 1588(m) are necessary safeguards that serve to protect the horse and rider.

The proposed amendment to Rule 1588 adds subsection 1588(n), which states that a horse that has received an intra-articular injection within the previous five days (120 hours) prior to the scheduled post time for the race in which the horse is entered, is ineligible to start in such race. An intra-articular injection is a term used to describe a hypodermic injection delivered directly into a joint with the primary aim of relieving pain and the treatment of inflammatory joint conditions. While the pain and inflammation may be addressed, if the procedure is administered close to race time, it may not necessarily heal the fundamental problem. Inflammation is part of the healing process, so there is a relationship between the proposed timeframe of five days and allowing healing. Requiring that the procedure be administered not later than five days prior to the scheduled post-time provides an opportunity for the medication to have an effect. In addition, it gives the examining veterinarian an opportunity to evaluate the horse several days after the injection. Currently, under Rule 1843.5, Medication, Drugs and Other Substances Permitted After Entry in a Race, administration of an authorized medication may occur until 48 hours before a race. Intra-articular injections are used to administer corticosteroids which work by decreasing local inflammation. They do so by inhibiting the production of inflammatory cells that are naturally produced in response to an acute injury or chronic condition. Used properly, corticosteroids are an important part of veterinary practice. The concern is that trainers use medication with consideration rather than enter an unsound horse and try to mask its problems with corticosteroids. Subsection 1588(n) is necessary to insure the horse has time to heal, and the injection is not administered on top of the prerace examination.

The proposed addition of Rule 1842.1 will provide a record of intra-articular treatments that can be readily available for use by examining veterinarians. The regulation requires all Board licensed veterinarians who administer a medication or treatment into an articular structure of a horse to provide the horse's trainer with a written record of the treatment. The procedure shall be recorded on the form CHRB-24A, Intra-Articular Treatment Record (New 12/17) (CHRB-24A). The

addition of Rule 1842.1, which requires the use of the CHRB-24A, is necessary as there now is no mechanism available to inform examining veterinarians if a horse has received intra-articular treatments. Currently, Board Rule 1842, Veterinarian Report, provides that every veterinarian who treats a horse within the inclosure shall, in writing on a form prescribed by the Board, report to the official veterinarian in a manner prescribed by him, the name of the horse treated, the name of the trainer, the time of treatment and any other information requested by the official veterinarian. The report is confidential and its content may not be disclosed except in a proceeding before the stewards or the Board, or in exercise of the Board's jurisdiction. The form used to report veterinary treatments is Veterinarian Report CHRB-24 (Rev. 01/16) (CHRB-24). Trainers do not receive a copy of the CHRB-24; instead, the forms are forwarded to CHRB headquarters where they are retained for a period of one year, and then are subject to confidential destruction. If a completed CHRB-24 is required for any reason, the form must be manually retrieved. The production and distribution of the CHRB-24 is such that it is not available for the use of examining veterinarians for use in pre-race examinations, or other examinations as required. The CHRB-24A requires the veterinarian who administers the intra-articular treatment to record the date and time of treatment, the intra-articular structures treated, the medication administered, the dose and the reason for the treatment. Requiring this information is necessary to provide a complete picture of the intra-articular procedure. The trainer shall maintain all intra-articular treatment records of horses under his or her care for a minimum of one year from the date of the treatments. Placing the treatment record under the care of the trainer is necessary to ensure it is available for the examining veterinarian. The one year retention of the CHRB-24A is consistent with the retention of the CHRB-24, which is also retained for one year. Rule 1842.1 provides that the records of intra-articular treatments shall be made available to examining veterinarians for the purpose of pre-race, or other examinations as required pursuant to the Board's rules and regulations. This provision makes it clear to trainers that they are obligated to provide the examining veterinarian with the CHRB-24.

#### BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

The proposed amendment to Rule 1588 adds a new subsection 1588(m), which provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days and has not raced in California since the conclusion of that absence in any race, is ineligible to start in any race until such horse, prior to entry, has undergone an examination by the official veterinarian or the racing veterinarian and is declared raceably sound and in fit physical condition to exert its best effort in a race. The new subsection also states that the official veterinarian or racing veterinarian may require the horse to perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness. Post-work blood and urine test samples shall be taken from such horse and the provisions of Article 6 shall apply to such official workouts in the same manner as a scheduled race. Workout, for purposes of Rule 1588 means an exercise session near full speed or close to full speed.

The proposed addition of subsection 1588(m) will promote the health and safety of racehorses and racetrack safety in general. The amendment will aid in the reduction of injuries to horses, or worse, catastrophic loss of racehorses, by requiring horses that have not raced for 120 or more consecutive days to be examined by the official veterinarian or racing veterinarian, and declared raceably sound and in fit physical condition to exert their best effort, before being allowed to enter to race. In

turn, the health and safety of jockeys will be advanced, as a reduction in equine injuries and sudden deaths while racing may also mean lower jockey injury rates. The required examination provides an opportunity for the examining veterinarian to evaluate the condition of the horse, which by virtue of being off 120 days or longer, may have had physical challenges that required time to heal or recuperate. Blood and urine test samples taken after a workout or qualifying race will provide additional information as to the fit physical condition of a horse that has not raced for 120 or more consecutive days. The addition of subsection 1588(m) serves to ensure that a horse that has not raced for 120 days or longer is raceably sound and in fit physical condition to exert its best efforts in a race. Ensuring the health of race horses protects the financial interests of racing associations, horse owners, trainers and jockeys. Racing associations depend on an inventory of sound horses to fill races and generate handle; owners and trainers suffer financial losses when horses are unable to compete for a purse; and injured jockeys lose income when they are unable to ride.

The proposed amendment to Rule 1588 adds a new subsection 1588(n), which provides that a horse that has received an intra-articular injection within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered, is ineligible to start in the race. The addition of subsection 1588(n) will promote the health and safety of race horses. The health and safety of jockeys will also be advanced, as a reduction in equine injuries and sudden deaths may also mean lower jockey injury rates. Administering the procedure not later than five days prior to the scheduled post-time provides an opportunity for the medication to have an effect. In addition, it gives the examining veterinarian an opportunity to evaluate the horse after the injection, and the injection is not administered on top of the prerace examination (Rule 1846, Racing Soundness Examination, provides that the horse shall be subject to a veterinary examination for racing soundness on race day not later than two hours prior to official post time for the race in which the horse is entered.) Ensuring the health of race horses protects the financial interests of racing associations, horse owners, trainers and jockeys. Racing associations depend on an inventory of sound horses to fill races and generate handle; owners and trainers suffer financial losses when horses are unable to compete for a purse; and injured jockeys lose income when they are unable to ride.

The proposed addition of Rule 1842.1 would require all Board licensed veterinarians who administer a medication or treatment into an articular structure of a horse to provide the horse's trainer with a written record of the treatment. The procedure shall be recorded on the form CHRB-24A. The trainer shall maintain all intra-articular treatment records of horses under his or her care for a minimum of one year from the date of the treatments. The records of intra-articular treatments shall be made available to examining veterinarian for the purpose of pre-race, or other examinations as required pursuant to the Board's rules and regulations. The proposed addition of Rule 1842.1 will work in conjunction with the amended Rule 1588 to protect the health and safety of horse and rider. The recording of intra-articular procedures on the form CHRB-24A will make race-day examinations more meaningful, as the trainer can provide a record of such procedures for the examining veterinarian. In turn, the examining veterinarian can make a more complete assessment of the horse. Thorough pre-race examinations ensure the soundness of horses entered to race. Sound racehorses help protect the health and safety of jockeys, as well as the financial interests of racing associations, owners and trainers.

## TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS OR DOCUMENTS

The following studies/relevant data were relied upon in making the above determination: New York Task Force on Racehorse Health and Safety Official Report. Investigation of Equine Fatalities at Aqueduct 2011-2012 Fall/Winter Meet.

## INCORPORATION BY REFERENCE

The form CHRB-24A, Intra-Articular Treatment Record (New 12/17) (CHRB-24A) is incorporated by reference in Rule 1842.1, as it would be cumbersome, unduly expensive or otherwise impractical to publish the document in the California Code of Regulations.

## ECONOMIC IMPACT ASSESSMENT

The results of the Board's Economic Impact Assessment as required by Government Code Section 11346.3(b) are as follows:

1. The proposed regulations will not impact the creation or elimination of jobs within the State of California.
2. The proposed regulations will not have an impact on the creation of new businesses or the elimination of existing businesses in the State of California.
3. The proposed regulations will not have an impact on the expansion of existing businesses in the State of California.
4. The proposed regulations will benefit California by promoting the safety and welfare of horses and riders and will not benefit nor negatively impact the State's environment.

The Board has made the initial determination that the proposed amendment to Rule 1588 and the addition of Rule 1842.1 will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states. The proposed amendment will safeguard the health and welfare of race horses, and act to reduce jockey injuries.

## PURPOSE

The proposed amendment to Rule 1588 will add subsections 1588(m) and (n). The new subsection 1588(m) provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days, and has not raced in California since the conclusion of that absence in any race, is ineligible to start in a race until such horse, prior to entry, has undergone an examination by the official veterinarian or the racing veterinarian, and declared raceably sound and in fit physical condition to exert its best effort in a race. The official veterinarian or racing veterinarian may have the horse perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness. Post-work blood and urine test samples shall be taken from the horse and the provisions of Article 6 shall apply to such official workouts in the same manner as a scheduled race. The new subsection 1588(n) provides that a horse that has received an intra-articular injection (joint injection) within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered

shall be ineligible to start in such race. The proposed addition of Rule 1842.1 will require veterinarians administering medication or treatment into an articular structure of a horse located within the inclosure to provide an intra-articular treatment record to the trainer, who shall maintain such records of the treatment for a minimum of one year. The trainer shall make such records available to the examining veterinarian for the purpose of assisting with pre-race veterinary examinations or other examinations as required by the Board.

#### THE CREATION OR ELIMINATION OF JOBS WITHIN THE STATE OF CALIFORNIA

The proposed amendment to Rule 1588 will add subsections 1588(m) and (n). The new subsection 1588(m) provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days, and has not raced in California since the conclusion of that absence in any race, is ineligible to start in a race until such horse, prior to entry, has undergone an examination by the official veterinarian or the racing veterinarian, and declared raceably sound and in fit physical condition to exert its best effort in a race. The official veterinarian or racing veterinarian may have the horse perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness. Post-work blood and urine test samples shall be taken from the horse and the provisions of Article 6 shall apply to such official workouts in the same manner as a scheduled race. The new subsection 1588(n) provides that a horse that has received an intra-articular injection (joint injection) within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered shall be ineligible to start in such race. The proposed addition of Rule 1842.1 will require veterinarians administering medication or treatment into an articular structure of a horse located within the inclosure to provide an intra-articular treatment record to the trainer, who shall maintain such records of the treatment for a minimum of one year. The trainer shall make such records available to the examining veterinarian for the purpose of assisting with pre-race veterinary examinations or other examinations as required by the Board. The Board has determined that this regulatory proposal will not have a significant impact on the creation or elimination of jobs in the State of California.

#### THE CREATION OF NEW BUSINESSES OR THE ELIMINATION OF EXISTING BUSINESSES WITHIN THE STATE OF CALIFORNIA

The proposed amendment to Rule 1588 will add subsections 1588(m) and (n). The new subsection 1588(m) provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days, and has not raced in California since the conclusion of that absence in any race, is ineligible to start in a race until such horse, prior to entry, has undergone an examination by the official veterinarian or the racing veterinarian, and declared raceably sound and in fit physical condition to exert its best effort in a race. The official veterinarian or racing veterinarian may have the horse perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness. Post-work blood and urine test samples shall be taken from the horse and the provisions of Article 6 shall apply to such official workouts in the same manner as a scheduled race. The new subsection 1588(n) provides that a horse that has received an intra-articular injection (joint injection) within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered shall be ineligible to start in such race. The proposed addition of Rule 1842.1 will require veterinarians administering medication or treatment into an articular structure of a horse located within the inclosure to provide an intra-articular treatment record to the trainer, who shall maintain

such records of the treatment for a minimum of one year. The trainer shall make such records available to the examining veterinarian for the purpose of assisting with pre-race veterinary examinations or other examinations as required by the Board. The Board has determined this regulatory proposal will not have an impact on the creation of new businesses or the elimination of existing businesses in the State of California.

#### THE EXPANSION OF BUSINESSES CURRENTLY DOING BUSINESS WITHIN THE STATE OF CALIFORNIA

The proposed amendment to Rule 1588 will affect only those horses that have not raced at any recognized race meeting for 120 days or more. The amendment requires such horses to be examined prior to entry by the Official Veterinarian or the Racing veterinarian and declared raceably sound and in fit physical condition to exert its best efforts in a race. The Official Veterinarian may require such horse 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. Therefore, the CHRB has determined that the proposed regulatory action is not relevant to the expansion of businesses currently doing business in the State of California.

#### INITIAL DETERMINATION

The Board has made an initial determination that the proposed amendment to Board Rule 1588 and the addition of Rule 1842.1 will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states. The proposed amendment to Rule 1588 will add subsections 1588(m) and (n). The new subsection 1588(m) provides that a horse that has not raced at a recognized race meeting in 120 or more consecutive days, and has not raced in California since the conclusion of that absence in any race, is ineligible to start in a race until such horse, prior to entry, has undergone an examination by the official veterinarian or the racing veterinarian, and declared raceably sound and in fit physical condition to exert its best effort in a race. The new subsection 1588(n) provides that a horse that has received an intra-articular injection (joint injection) within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered shall be ineligible to start in such race. The proposed addition of Rule 1842.1 will require veterinarians administering medication or treatment into an articular structure of a horse located within the inclosure to provide an intra-articular treatment record to the trainer, who shall maintain such records of the treatment for a minimum of one year. The trainer shall make such records available to the examining veterinarian for the purpose of assisting with pre-race veterinary examinations or other examinations as required by the Board.

## BENEFITS OF THE REGULATIONS TO THE HEALTH AND WELFARE OF CALIFORNIA RESIDENTS, WORKER SAFETY, AND THE STATE'S ENVIRONMENT

The proposed amendment to Rule 1588 and the addition of Rule 1842.1 is a benefit to the health and welfare of California residents because they promote the health and safety of horse and rider.

Requiring a horse that has not raced for 120 or more consecutive days to be examined by the official veterinarian or race veterinarian, prior to entry declared raceably sound and in fit physical condition to exert its best effort, before being allowed to start in a race, provides an opportunity for an informed veterinary evaluation. Horses that have not raced for 120 or more consecutive days, may have had physical challenges that required time to heal or recuperate. In addition, the post-workout blood and urine test samples taken after a workout or qualifying race provides additional information as to the fit physical condition of a horse. The amendment to Rule 1588 serves to ensure that horses that have not raced for 120 days or longer are race ably sound and in fit physical condition to exert their best efforts in a race.

The proposed addition of Rule 1842.1 will require veterinarians administering medication or treatment into an articular structure of a horse located within the inclosure to provide an intra-articular treatment record to the trainer, who shall maintain such records of the treatment for a minimum of one year. The trainer shall make such records available to the examining veterinarian for the purpose of assisting with pre-race veterinary examinations or other examinations as required by the Board. Providing the examining veterinarian with records of intra-articular treatments ensures a thorough racing soundness examination. More complete examinations safeguard the health and welfare of horses and riders.

The proposed amendment to Rule 1588 and the addition of Rule 1842.1 will benefit the health and welfare of California residents who hold occupational licenses as jockeys, apprentice jockeys or other licensees that require close proximity to race horses. The proposed regulations safeguard the health and safety of the California's racing equines. Sound race horses help prevent accidents and injuries to horse and rider. This regulation does not benefit nor negatively impact the state's environment.

## ALTERNATIVE TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON AFFECTED PRIVATE PERSONS OR BUSINESSES

The Board has determined that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

## REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION

The proposed amendment to Rule 1588 was discussed at the February 2017 Medication Safety and Welfare Committee Meeting and February 2017 Regular Board Meeting. The proposed amendment to Rule 1588 was also discussed at the August 2017 Medication Safety and Welfare

Committee Meeting. The proposed addition of Rule 1842.1 was discussed at the August 2017 Medication Safety and Welfare Committee Meeting. No alternatives to the recommendations were proposed by the Board or by any other individual or entity at the meeting. No subsequent alternative recommendations were made prior to the notice. The Board invites any interested party to submit comments which offer any alternative proposal.

California Horse Racing Board  
March 2, 2018

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

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:

- (a) if 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, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;
- (b) if 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) if, 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) if 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) if the certificate of foal registration, eligibility papers or other registration issued by the official registry has been altered, erased, or forged;

(f) if 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;

(j) when, except with prior approval of the stewards for good cause, such horse is on the Veterinarian's List in another racing jurisdiction. Good cause includes:

(1) unforeseen administrative issues in removing the horse from the Veterinarian's List of another racing jurisdiction;

(2) the location of the horse prevents it from being evaluated by the official veterinarian of another racing jurisdiction and cleared from that jurisdiction's Veterinarian's List, and the horse is approved to race by a California official veterinarian; or

(3) any other unforeseen event or reason that would prevent a horse that would otherwise not be on a Veterinarian's List from being cleared from the Veterinarian's List of another racing jurisdiction.

(k) 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.

(l)...

(m) if such horse has not raced at any recognized race meeting in 120 or more consecutive days and has not raced in California since the conclusion of that absence, unless such horse has been examined prior to entry by the official veterinarian or the racing veterinarian and declared race ably sound and in fit physical condition to exert its best efforts in a race. The official veterinarian may require such horse to perform satisfactorily in a workout or qualifying race to demonstrate its physical fitness, and if so a blood and/or urine post-workout 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. For the purposes of this regulation, “workout” means an exercise session near full speed, or close to full speed.

(n) when such horse has received an intra-articular injection within the previous five days (120 hours) prior to the scheduled post-time for the race in which it is entered.

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  
PROPOSED ADDITION OF  
RULE 1842.1. ADDITIONAL REPORTING FOR INTRA-ARTICULAR TREATMENTS

1842.1. Additional Reporting for Intra-Articular Treatments

(a) Every CHRB-licensed veterinarian who administers a medication or treatment into an articular structure of a horse shall provide to the horse's trainer on form CHRB-24A, Intra-Articular Treatment Record (New 12/17), which is hereby incorporated by reference, the name of the horse treated, the date and time of treatment, the intra-articular structure(s) treated, the medication administered, the dose, and the reason for the treatment.

(b) The trainer shall be required to maintain all intra-articular treatment records of horses in his or her care for a minimum of one year from the date of the treatment. The records shall be organized by horse, and shall be made available to the examining veterinarian by the trainer for the purpose of assisting with pre-race veterinary examinations or other examinations as required pursuant to this Division.

Authority: Sections 19440, 19562, and 19580,  
Business and Professions Code.

Reference: Sections 19440, 19562, and 19580,  
Business and Professions Code.

STATE OF CALIFORNIA  
CALIFORNIA HORSE RACING BOARD  
INTRA-ARTICULAR TREATMENT RECORD  
CHRB-24A (New 12 /17)

**INTRA-ARTICULAR TREATMENT RECORD**

Horse: \_\_\_\_\_ Date: \_\_\_\_\_ Time:  
\_\_\_\_\_

Veterinarian: \_\_\_\_\_

STRUCTURE TREATED

INTRA-ARTICULAR MEDICATION

DOSE

<u>STRUCTURE TREATED</u>	<u>INTRA-ARTICULAR MEDICATION</u>	<u>DOSE</u>

DIAGNOSIS / REASON FOR PRESCRIPTION

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Per Rule 1842.1, Additional Reporting for Intra-Articular Treatments: the trainer shall maintain all intra-articular treatment records of horses in his or her care for a minimum of one year from the date of treatment. The records shall be made available to the examining veterinarian by the trainer for the purpose of assisting with pre-race veterinary examinations or other examinations, as required.