

CALIFORNIA HORSE RACING BOARD
TITLE 4. DIVISION 4. CALIFORNIA CODE OF REGULATIONS
RULE 1842. VETERINARIAN REPORT
INITIAL STATEMENT OF REASONS

SPECIFIC PURPOSE OF THE REGULATION

The proposed amendment of California Horse Racing Board (Board) Rule 1842, Veterinarian Report, will require every veterinarian who treats a horse within the inclosure to use an electronic, on-line form prescribed by the Board to report such treatment to the official veterinarian.

PROBLEM

Board Rule 1842, Veterinarian Report, requires veterinarians to complete a confidential veterinarian report when treating a horse within the inclosure. The report asks for information regarding the name of the horse treated, the name of the trainer of the horse, the time and date of the treatment, and any other information requested by the official veterinarian. The report is confidential and its contents may not be disclosed except in a proceeding before the stewards or in an exercise of the Board's jurisdiction. The required form is the Veterinarian Report Confidential CHRB-24 (Rev. 01/18) (CHRB-24). Under this paper-based veterinary reporting procedure, the official veterinarians can easily become inundated with a high volume of CHRB-24's. The reports are hand-written, which does not guarantee legibility. In addition, there is no uniformity in the abbreviations used for different treatments. As an example, Lasix, a common bleeder medication authorized by the Board, may appear as LXA, LXAM, LXW, or any number of acronyms. The handwritten CHRB-24 presents a problem with regards to drug violations or other issues, as it is cumbersome and time consuming to sort through them to find a specific report. While the official veterinarians usually understand the various abbreviations used, and can read the handwriting, Board investigators may have more difficulty. In addition, the lack of a database prevents a thorough analysis of the relationship between veterinary procedures and horses' health and safety. Because of the disadvantages of the current paper CHRB-24, the Board proposes to amend Board Rule 1842 to require that veterinarians who treat horses within the inclosure shall report such treatments to the official veterinarian in an electronic, on-line form prescribed by the Board.

NECESSITY

Subsection 1842(a) of the proposed amendment to Board Rule 1842 has been amended to provide that every veterinarian who treats a horse within the inclosure shall report the treatment to the official veterinarian using an electronic, on-line form prescribed by the Board. The report shall provide information regarding the name of the horse treated, the

name of the trainer of the horse, the time and date of the treatment, and any other information requested by the official veterinarian. The Board has determined it is necessary to require veterinarians to report treatments performed within the inclosure in an electronic, on-line form to provide consistency, legibility, and manageability, as well as to create an easily searchable database for purposes of enforcement and analysis. Under the Board's current paper-based veterinary reporting procedure, the official veterinarians can easily become inundated with a high volume of CHRB-24s. As an example, the Del Mar July through September 2019 race meet provided stalls for 2,500 horses, and the Golden Gate Fields August through September 2019 race meet provides stalls for 1,500 horses. Veterinarians are required to report all treatments for horses at these race meets. With the high numbers of horses on the grounds, the official veterinarian may receive hundreds of CHRB-24's per week. At the April 2019 regular Board meeting the Equine Medical Director reported that the official veterinarian at Santa Anita Park Race Track received 233 CHRB-24 veterinarian reports during the week of April 8, 2019. By switching to an electronic, on-line reporting format, the Board hopes to reduce the high volume of paper veterinary records and improve efficiency for veterinarians, while improving accuracy and precision of data entry.

The CHRB-24 presents a problem with regards to drug violations or other issues, as it is cumbersome for Board investigators to sort through them and handwritten reports do not guarantee legibility. The lack of a database also prevents a thorough analysis of the relationship between veterinary procedures and horses' health and safety. An electronic reporting format will offer a wide range of functionality that cannot be achieved with the current paper CHRB-24. The improved functionality of an electronic, on-line version of form CHRB-24 will include centralized electronic storage of all treatment records, which will enhance investigations and analytical efforts, improve efficiency in filing reports, provide resources that can be readily retrieved and analyzed, and facilitate the monitoring of horses of interest in pre-race examination and post-race testing.

All other changes to Board Rule 1842 are for the purposes of clarity and consistency.

BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

Subsection 1842(a) of the proposed amendment to Board Rule 1842 provides that every veterinarian who treats a horse within the inclosure shall report the treatment to the official veterinarian using an electronic, on-line form prescribed by the Board. Transitioning from paper records to an electronic reporting format will have the benefit of improving efficiency for the veterinarian and the Board, while improving accuracy and precision of data entry. More accurate and precise veterinary records will promote the health and safety of race horses, and, by extension, the health and safety of jockeys and drivers. Accordingly, the amendment to Board Rule 1842 benefits the health and safety of California workers.

The proposed implementation of an electronic database for veterinary treatment records will have the benefit of offering a wide range of functionality that cannot be achieved with the current paper version of CHRB-24. The improved functionality will include centralized electronic storage of all treatment records, which will assist investigations and analytical efforts, improve efficiency in filing reports, provide resources that can be readily retrieved and analyzed, and facilitate the monitoring of horses of interest in pre-race examination and post-race testing. This will aid in a thorough analysis of the relationship between veterinary procedures and horses' health and safety. Accordingly, the amendment to Board Rule 1842 will benefit the racing industry by streamlining access to veterinary records, increasing efficiency for Board veterinarians, investigators, and analysts. This increased efficiency and functionality benefits the California horse racing industry by making horse racing safer and promoting public confidence in the capability of Board officials to responsibly manage the horse racing industry.

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

None.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

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

- The proposed regulation will not impact the creation or elimination of jobs within the state of California.
- The proposed regulation will not have an impact on the creation of new businesses or the elimination of existing businesses within the state of California.
- The proposed regulation will not have an impact on the expansion of existing businesses within the state of California.
- The proposed regulation will benefit the State of California by increasing horse racing veterinary treatment reporting functionality and efficiency. The proposed regulation will not benefit the state of California's environment.

The Board has made the initial determination that the proposed amendment of Board Rule 1842 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 regulation will require every veterinarian who treats a horse within the inclosure to use a confidential electronic, on-line form prescribed by the Board to report such treatment to the official veterinarian.

Purpose:

The proposed amendment of Board Rule 1842 will require veterinarians to complete a confidential electronic, on-line veterinarian report when treating a horse within the inclosure. The report asks for information regarding the name of the horse treated, the name of the trainer of the horse, the time and date of the 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 in an exercise of the Board's jurisdiction. The purpose of the proposed regulation is to create an electronic, on-line report and database that will replace the paper-based CHRB-24, ensuring that the veterinarian reporting process is less cumbersome so that official veterinarians do not become inundated with high volumes of paper-based veterinarian reports. The creation of the on-line report and electronic database will aid official veterinarians and Board investigators in conducting thorough analysis of the relationship between veterinary procedures and horses' health and safety by increasing legibility, manageability and accuracy.

The Creation or Elimination of Jobs Within the State of California

The amendment of Board Rule 1842 will require every veterinarian who treats a horse within the inclosure to report to the official veterinarian the name of the horse treated, the name of the trainer of the horse, the time and date of treatment and any other information requested by the official veterinarian via an electronic, on-line form prescribed by the Board. The report is confidential and may only be disclosed in a proceeding before the stewards, or in an exercise of the Board's jurisdiction. The proposed regulation will impact veterinarians reporting treatments to a horse within a Board inclosure. The proposed regulation will not have an effect on any other type of California business. Therefore, the Board has determined that this regulatory action will not have a significant impact on the creation or elimination of jobs within the state of California.

The Creation of New Businesses or the Elimination of Existing Businesses within the State of California

The amendment of Board Rule 1842 will require every veterinarian who treats a horse within the inclosure to report to the official veterinarian the name of the horse treated, the name of the trainer of the horse, the time and date of treatment, and any other information requested by the official veterinarian via an electronic, on-line form prescribed by the Board. The report is confidential and may only be disclosed in a proceeding before the stewards, or in an exercise of the Board's jurisdiction. The proposed regulation will impact veterinarians reporting treatments to a horse within a Board inclosure. The proposed regulation only has an effect on a limited number of Board licensees, and as such only has an effect on horseracing and not any other type of California business. Therefore,

the Board has determined this regulatory proposal will not have an impact on the creation of new businesses or the elimination of existing businesses within the state of California.

The Expansion of Businesses Currently Doing Business Within the State of California

The amendment of Board Rule 1842 will require every veterinarian who treats a horse within the inclosure to report to the official veterinarian the name of the horse treated, the name of the trainer of the horse, the time and date of treatment, and any other information requested by the official veterinarian via an electronic, on-line form prescribed by the Board. The report is confidential and may only be disclosed in a proceeding before the stewards, or in an exercise of the Board's jurisdiction. The proposed regulation will impact veterinarians reporting treatments to a horse within a Board inclosure. The proposed regulation only has an effect on a limited number of Board licensees, and as such only has an effect on horseracing and not any other type of California business. Therefore, the Board has determined that the proposed regulatory action is not relevant to the expansion of businesses currently doing business within the state of California.

Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment

The improved functionality of an electronic reporting system for veterinary treatment records will have the benefit of allowing for a thorough analysis of the relationship between veterinary procedures and horses' health and safety. This will help ensure that horses entered to race are sound, which will promote jockey/driver safety. Accordingly, the proposed regulation benefits the health and welfare of California residents who work in the state's horse racing industry and improves worker safety. The regulation does not benefit 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 Board Rule 1842 was discussed at the June 2019 regular Board meeting. No alternatives to the recommendation 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

January 24, 2020