

CALIFORNIA HORSE RACING BOARD

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JOCKEY AND DRIVER **WELFARE** **COMMITTEE MEETING**

Notice is hereby given that a meeting of the **Jockey and Driver Welfare Committee (committee)** of the **California Horse Racing Board (CHRB/Board)** will be held on **Wednesday, May 18, 2022**, commencing at **1:00 p.m.** at the **Clubhouse at the California Exposition and State Fair Grandstand, 1600 Exposition Boulevard, Sacramento, California**. The audio portion only of the committee meeting will be available online through a link at the CHRB website (www.chrb.ca.gov) under "Webcasts."

The agenda for the meeting will consist of the following matters:

AGENDA

Action Items:

1. Discussion and consideration to amend Rule 1500, Apprentice Jockey, and Rule 1619, Apprentice Allowance, to align with current health and safety standards for jockeys.
2. Discussion and consideration to amend Rule 1683, Maximum Overweight, and Rule 1616, Minimum Weights, to align with current health and safety standards for jockeys.
3. Discussion and consideration to amend Rule 1734, Use of Driving Whip, to align with Rule 1688, Use of Riding Crop.
4. Discussion regarding Horseracing Integrity and Safety Authority regulations regarding concussion protocols, including 2291 – Jockey Eligibility, which requires a baseline concussion test as part of the annual physical examinations, and 2192 – Concussion Management, which requires the implementation of a concussion management program by the Medical Director, as defined in 2132 – Medical Director.
5. Discussion regarding the feasibility of requiring a breeding right be granted to jockeys who ride colts or horses who win graded stakes in California.
6. **Public Comment:** Communications, reports, requests for future actions of the Board. **Note:** During the public comment period, a total of thirty minutes will be allowed for public

comments. After thirty minutes, no further comments will be accepted. Each person will be limited to two minutes.

Additional information regarding this meeting may be obtained from the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. This notice is located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aid or services in order to participate in this public meeting, should contact Zachary Voss. Requests will be swiftly resolved by CHRB staff.

CALIFORNIA HORSE RACING BOARD

Oscar Gonzales, Chairman

Tom Hudnut, Member

Damascus Castellanos, Member

Scott Chaney, Executive Director

Cynthia Alameda, Assistant Executive Director

Agenda Item 1

STAFF ANALYSIS

DISCUSSION AND CONSIDERATION TO AMEND RULE 1500, APPRENTICE JOCKEY, AND RULE 1619, APPRENTICE ALLOWANCE, TO ALIGN WITH CURRENT HEALTH AND SAFETY STANDARDS FOR JOCKEYS.

Jockey and Driver Welfare Committee

May 18, 2022

ISSUE:

The California Horse Racing Board (CHRB) is constantly looking for areas to both improve animal and human welfare and ensure that rules established by the board are effectively serving the purposes of their intent. As humans evolve and nutrition (and dieting) is better understood, the ability for apprentice jockeys to realize the benefit of specified weight allowances is increasingly difficult and unhealthy when achieved. In fact, at the lower end of the assigned weight for particular races, most apprentice jockeys simply cannot ride at that weight and are therefore not able to realize the intended benefit of the allowances provided. Further, the current jockey apprentice allowance rule is difficult to implement effectively due to the complexity and specificity.

ANALYSIS:

In collaboration with The Jockeys' Guild the CHRB is proposing consideration to amend two regulations regarding apprentice jockeys to reflect the reality of changing health standards and to clarify allowance criteria. CHRB Rule 1619, Apprentice Allowances would be deleted, and CHRB Rule 1500, Apprentice Jockey, which currently specifies general license eligibility and specifications only, would be expanded to include modified requirements for five-pound and seven-pound allowances. The Jockeys' Guild has provided draft language they developed to submit to the Association of Racing Commissioners International to change the Model Rule for additional consideration by CHRB.

RECOMMENDATION:

This item is presented for Committee discussion.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
DIVISION 4. CALIFORNIA HORSE RACING BOARD
ARTICLE 4. OCCUPATIONAL LICENSES
PROPOSED AMENDMENT OF RULE 1500, APPRENTICE JOCKEY

1500. APPRENTICE JOCKEY.

(a) An apprentice jockey is a race rider who has ridden less than 40 winners or less than two years since first having been licensed in any racing jurisdiction, and who otherwise meets the license qualifications of a jockey.

(b) The apprenticeship of an apprentice jockey shall automatically terminate one year from the date of his or her fifth winning ride, or on the date of his or her 40th winning ride, whichever comes later. No apprenticeship shall extend for more than two years from the date of the fifth winning mount, except for good cause the Board may extend the termination date of an apprenticeship or amend the conditions under which the apprenticeship is granted.

(c) Any combination of Thoroughbred, Appaloosa, Arabian or Paint races at authorized race meetings in the United States, Canada or Mexico, which are reported in the Daily Racing Form or other recognized racing publications, shall be considered in determining eligibility for license as an apprentice jockey; provided, however, that any person who has ridden as a licensed jockey in any racing jurisdiction shall have the burden to establish that the granting of an apprentice jockey license to him or her is in the best interest of the rider and of Thoroughbred, Appaloosa, Arabian or Paint racing in this State. Nothing herein shall prohibit an apprentice jockey contract between the apprentice and a qualified employer.

Authority: Sections 19440 and 19460
Business and Professions Code

Reference: Section 19440 and 19460
Business and Professions Code

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
DIVISION 4. CALIFORNIA HORSE RACING BOARD
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED AMENDMENT OF RULE 1619, APPRENTICE ALLOWANCES

1619. APPRENTICE ALLOWANCE.

An apprentice jockey shall be allowed the following weight allowances in all Thoroughbred, Appaloosa, Arabian and Paint races:

- (a) Ten pound allowance beginning with the first mount and continuing until the apprentice has ridden five winners.
- (b) A seven pound allowance until the apprentice has ridden an additional 35 winners; and
- (c) If an apprentice has ridden a total of 40 winners prior to the end of a period of one year from the date of riding their fifth winner, they shall have an allowance of five pounds until the end of that year.
- (d) If after one year from the date of his or her fifth winning mount the apprentice has not ridden 40 winners, the applicable weight allowance shall continue for one more year or until the date of the 40th winner, whichever comes first.

An apprentice allowance may be waived with consent of the stewards.

Authority: Section 19562
Business and Professions Code

Reference: Section 19562
Business and Professions Code

Jockeys' Guild Proposed Changes to ARCI MODEL RULE

ARCI-008-030 Jockeys

B. Apprentice Jockeys

- (1) An applicant may be prohibited from riding until the stewards or the Commission has sufficient opportunity (not to exceed 14 days) to verify the applicant's previous riding experience.
- (2) The conditions of an apprentice jockey license do not apply to quarter horse racing. A jockey's performances in quarter horse racing do not apply to the conditions of an apprentice jockey license.
- (3) An applicant with an approved apprentice certificate may be licensed as an apprentice jockey. The apprentice certificate will grant an apprentice all the allowance and conditions stated in these rules.
- (4) An apprentice certificate may be obtained from the stewards on a form provided by the Commission. A person shall not receive more than one apprentice certificate. In case of emergencies, a copy of the original may be obtained from the Commission where it was issued.
- (5) An apprentice jockey may ride with the following allowances in all races, except stakes and handicaps:
 - (a) A seven (7) pound allowance beginning with his/her first mount and until the apprentice has ridden ten (10) winners.
 - (b) A five (5) pound allowance from his/her tenth (10th) winner and until the apprentice has ridden a total of forty (40) winners.
 - (c) If after riding one year from the date of his/her tenth (10th) winning mount, the jockey has failed to ride a total of forty (40) winners from the date of his/her first winning mount, he/she may continue to ride with a five (5) pound weight allowance for one more year from the date of his/her tenth (10th) winning mount or until he/she has ridden forty (40) winners, whichever comes first.
- (6) An apprentice jockey that has ridden less than ten (10) winners may not accept mounts on two-year olds, first time starter, or in turf races, without the prior approval of the Stewards.
- (7) Apprentice allowance may be waived with the Stewards' permission at the time of entry by the trainer or the trainer's designee.
- (8) The apprentice jockey will be responsible to have his/her apprentice certificate with him/her at all times. Prior to riding, the apprentice certificate will be submitted to the clerk of scales at each racing association in which the apprentice is licensed and riding.
- (9) In no event may an apprentice allowance be claimed for more than 2 (two) years from the date of the tenth (10th) winning mount, unless an extension has been granted by the Commission under this rule.
- (10) If an apprentice jockey is unable to ride for a period of seven (7) consecutive days or more after the date of his/her tenth (10th) winning mount because of the services in the national armed forces, enrollment in an institution of secondary or higher education, restrictions on racing, physical disablement or illnesses, or pregnancy, the Commission

may extend the time during which such apprentice weight allowance may be claimed for a period not to exceed the period such apprentice jockey was unable to ride. (See Apprentice Jockey Extension Form). The Commission will only take jurisdiction only on certificates which it has issued. All other requests for extensions shall be directed to the Commission that approved the apprentice certificate.

- (11) The conditions set forth in Section A of this rule shall also apply.

**APPRENTICE JOCKEY
EXTENSION FORM**

Date: _____

To: _____
(Name of Racing Commission)

To Whom It May Concern:

I hereby request an extension of my apprentice allowance for the following reason(s):

- _____ Service in the National Armed Forces.
 - _____ Enrollment in an Institution of Secondary or Higher Education.
 - _____ Restrictions on Racing.
 - _____ Physical Disablement, Illness, or Pregnancy.
 - _____ Other reason which may be acceptable to the Commission. (Provide Explanation).
- _____
- _____

My apprentice allowance expires on: _____
(date)

Total number of calendar days I was unable to ride and requested as an extension in this application: _____

If due to Restrictions on Racing, please explain: _____

Name(s) of Steward(s) at track: _____

If due Physical Disablement, Illness, or Pregnancy, please explain: _____

Note to applicant: No request for extension due to Physical Disablement, Illness, or Pregnancy will be considered by the Commission without a confirming report from your doctor. Be sure to secure letters from attending physicians stating nature & extent of injury, date, etc. and names of stewards presiding at meeting where you were injured or became ill.

I was examined at the time by _____ on _____
(Name of Physician) (Date)

_____ (Address of Examining Physician)

I was examined and declared fit to ride by _____ on _____
(Name of Physician) (Date)

_____ (Address of Examining Physician)

Attached is a letter from my physician verifying above facts.

If Applicable, My apprentice contract expires on _____ with _____
(Date) (Name of Contract Holder)

Respectfully submitted by,

Signature

Date

Print Full Name

Agenda Item 2

STAFF ANALYSIS
DISCUSSION AND CONSIDERATION TO AMEND RULE 1683, MAXIMUM
OVERWEIGHT, AND RULE 1616, MINIMUM WEIGHTS, TO ALIGN WITH
CURRENT HEALTH AND SAFETY STANDARDS FOR JOCKEYS

Jockey and Driver
Welfare Committee
Meeting

May 18, 2022

ISSUE:

The California Horse Racing Board (CHRB) is constantly looking for areas to improve animal and human welfare. As humans evolve and nutrition (and dieting) is better understood, the ability for jockeys to make minimum weights is increasingly difficult and unhealthy. In fact, at the lower end of the assigned weight for particular races, most jockeys simply cannot ride at that weight and are therefore considered overweight. This is particularly true for quarter horse riders.

ANALYSIS:

In collaboration with The Jockeys' Guild and several Racing Secretaries (including Los Alamitos) the CHRB is proposing amendments to two regulations to reflect this reality. The first would amend CHRB 1616 Minimum Weights, to create a certain minimum weight for all breeds and separately for quarter horses. This approach differs slightly from the model rule approach and the CHRB's current rule which both set minimums, but allow for assigned weights to fall below those minimums when sex and age allowances are considered. There are exceptions for apprentice allowances and stake races in the proposed language. However, raising the floor for minimum weights also presents the unintended consequence of creating a higher maximum weight which could detrimentally effect animal welfare. Therefore, the CHRB proposes amending CHRB Rule 1683 Maximum Overweight to decrease the allowable overweight for a rider to ride from 7 pounds to 5 pounds, before being removed from his or her mount.

RECOMMENDATION:

This item is presented for Committee discussion.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
DIVISION 4. CALIFORNIA HORSE RACING BOARD
ARTICLE 8. RUNNING THE RACE
PROPOSED AMENDMENT OF RULE 1683, MAXIMUM OVERWEIGHT

1683 Maximum Overweight.

No horse shall carry more than two pounds overweight without consent of its owner, the owner's agent, ~~his agent~~, or ~~his~~ the owner's representative, but shall not carry more than ~~seven~~ five pounds overweight in any race.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
DIVISION 4. CALIFORNIA HORSE RACING BOARD
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED AMENDMENT OF RULE 1616, MINIMUM WEIGHTS TO BE CARRIED

1616. Minimum Weights to Be Carried.

Notwithstanding any other provision of this Division, the minimum weight to be carried in all overnight races ~~for two year olds only, for three year olds only, and for four year olds and upward~~ shall be ~~112~~ 114 pounds subject to ~~further sex and~~ apprentice allowances. The minimum weight to be carried ~~in all races in except~~ handicap and stakes races shall be ~~403~~ 105 pounds. For quarter horse races, the minimum weight to be carried shall be 120 pounds, regardless of any otherwise permitted allowance.

Authority: Sections 19562 and 19590
Business and Professions Code

Reference: Sections 19562 and 19590
Business and Professions Code

ARCI-010-020 Weights

D. Scale of Weights

(1) With the exception of apprentice allowances, handicap races, and the allowance provided in subsection (2) of this section, no jockey shall be assigned a weight of less than 118 pounds. For three (3) year old horses entered to run in races against horses four (4) years old and upwards from January 1 through August 31, no jockey shall be assigned a weight of less than 116 pounds.

(2) Except in handicaps, fillies two (2) years old shall be allowed three (3) pounds, and fillies and mares three (3) years old and upward shall be allowed five (5) pounds before September 1, and three (3) pounds thereafter in races where competing against horses of the opposite sex.

(3) Quarter Horses, Appaloosas and Paints minimum scale weights shall be 124 pounds for two-year-olds, 126 pounds for three-year-olds, and 128 pounds for four-year-olds and older.

(4) A notice shall be included in the daily program that all jockeys will carry approximately three (3) pounds more than the published weight to account for safety equipment (vest and helmet) that is not included in require weighing out procedures. Additionally, upon stewards' approval, jockeys may weigh in with up to an additional three (3) pounds for inclement weather gear.

ARCI-010-035 Running of the Race

C. Jockey Requirements

(8) Seven pounds is the limit of overweight any horse is permitted to carry.

Agenda Item 3

STAFF ANALYSIS

DISCUSSION AND CONSIDERATION TO AMEND RULE 1734, USE OF DRIVING WHIP, TO ALIGN WITH RULE 1688, USE OF RIDING CROP.

Jockey and Driver Welfare Committee

May 18, 2022

ISSUE:

The riding crop and the whip are tools designed to encourage movement or aid in guidance and control over horses, either through direct contact or as a visual directional cue. While the use of these tools has been a part of horse racing since its inception, both public perception and the California horse racing industry's desire to establish more humane and restricted use have resulted in significant changes to both Rule 1734, Whipping and Rule 1688, Use of Riding Crop, over the past several years. The proposed amendments to Rule 1734 are intended to align both rules under the same uniform requirements, specifically regarding the number of times a whip can be used in succession without giving a horse a chance to respond and the total number of times the whip can be used during a race.

ANALYSIS:

Rule 1734 was last amended in January 2017 and provided that no driver shall use unreasonable force in whipping a horse and restricted use to elbow and wrist action only, as well as other specified prohibited uses including but not limited to raising the elbow above the driver's shoulder height, allowing the hand holding the whip to reach behind the driver, use of the whip other than on specified areas, and whipping when a horse does not appear to be advancing or is no longer in contention of purse money. Additionally, the use of the whip was limited to no more than three times in succession without giving the horse a chance to respond. Rule 1688, Use of Riding Crop, was last amended in 2020 and prohibited the use of the riding crop during training except when necessary to preserve the safety of the horse and rider, and describes the correct use of the riding crop, including limiting the total number of times a crop can be used in a race to six total, and no more than two times in succession without giving the horse a chance to respond.

RECOMMENDATION:

This item is presented for Committee discussion.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
DIVISION 4. CALIFORNIA HORSE RACING BOARD
ARTICLE 9. HARNESS RACING RULES
PROPOSED AMENDMENT OF RULE 1734, WHIPPING

1734 ~~Whipping.~~ Use of Driving Whip.

(a) No driver shall use unreasonable force in whipping a horse, nor whip any horse causing welts or breaks in the skin, nor whip any horse about the head, nor whip any horse after the finish line has been crossed except when necessary to control the horse.

(b) Whipping shall be restricted to elbow and wrist action only, and the following actions regarding the use of the whip are prohibited:

(1) Raising the elbow above the driver's shoulder height.

(2) Allowing the hand holding the whip to reach behind the driver during the use of the whip.

(3) Use of the whip other than on the area inside and above the level of the shafts of the sulky and between the sulky shafts.

(4) Whipping under the arch of the shafts of the sulky.

(5) Use of the whip as a goading or poking device between the legs of the horse.

(6) Use of the whip when the horse does not appear to be advancing through the field of horses or is no longer in contention for purse money.

(7) Use a whip more than two times in succession without giving a horse a chance to respond before using the whip again

(8) Use a whip more than six times during a race excluding showing or waiving the whip.

(c) ~~For the purpose of whipping, all drivers must keep a line in each hand beginning when the horse is behind the starting gate and until the one-eighth of a mile prior to the finish line, and may not whip while holding two lines in one hand until then. The driver must keep a line in each hand, except as may be necessary to adjust equipment (that is, pulling plugs, dropping blinkers, etc.) beginning when the horse is behind the starting gate and continuing through the finish of the race.~~ The lines must remain reasonably taut during the entire race.

~~(d) Drivers may not use the whip more than three times in succession without giving the horse a chance to respond.~~

Authority: Sections 19420 and 19440
Business and Professions Code

Reference: Section 19563
Business and Professions Code

Agenda Item 4

STAFF ANALYSIS

DISCUSSION REGARDING HORSERACING INTEGRITY AND SAFETY AUTHORITY REGULATIONS REGARDING CONCUSSION PROTOCOLS, INCLUDING 2291 – JOCKEY ELIGIBILITY, WHICH REQUIRES A BASELINE CONCUSSION TEST AS PART OF THE ANNUAL PHYSICAL EXAMINATIONS, AND 2192 – CONCUSSION MANAGEMENT, WHICH REQUIRES THE IMPLEMENTATION OF A CONCUSSION MANAGEMENT PROGRAM BY THE MEDICAL DIRECTOR, AS DEFINED IN 2132 – MEDICAL DIRECTOR.

Jockey and Driver Welfare Committee

May 18, 2022

ISSUE:

Horse racing is the only sport where an ambulance follows the athletes as they are participating. The potential for injury to a rider who is slightly over 100 pounds in a field of unpredictable, tightly packed, 1,000 plus pound horses, going upwards of 40 miles per hour, is very real. As more information becomes available about the risks associated with concussions, it is incumbent on the racing associations and jockeys/drivers to ensure that rider health is protected. The Jockeys' Guild has long requested regulatory changes to address the issue of concussions among riders and the Horseracing Integrity and Safety Authority (HISA) Racetrack Safety Program requires the implementation of a concussion management program.

ANALYSIS:

The HISA established the regulatory body known as the Authority to enforce the Racetrack Safety Program and the Anti-Doping and Medication Control Program. Within the Racetrack Safety Program, set to go into effect July 1, 2022, are specific concussion protocol requirements for ambulance support, concussion management and jockey eligibility.

The Jockeys' Guild is an organization representing professional jockeys in thoroughbred and quarter horse racing. The organization, which has been in existence since 1940, has over 1,200 members and is dedicated to the protection of jockeys and the achievement of a safer racing environment. In May of 2018, the Association of Racing Commissioners International adopted concussion protocol regulations sponsored by the Jockeys' Guild. Since that time some form of concussion protocol has been under consideration by the Board. The Jockeys' Guild in collaboration with medical subject matter experts has developed extensive concussion guidelines, protocols, and resource tools to facilitate concussion management programs.

Proposed for discussion are consideration for potential amendments to CHRB Rule 1498, Physical Examination, for jockeys, apprentice jockeys, and drivers, to include concussion protocol requirements, or whether the HISA Racetrack Safety Program regulatory requirements satisfactorily establishes the necessary regulatory structure to address this critical need and mitigates any need for an amendment to CHRB rules.

RECOMMENDATION:

This item is presented for Committee discussion.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
DIVISION 4. CALIFORNIA HORSE RACING BOARD
ARTICLE 4. OCCUPATIONAL LICENSES
PROPOSED AMENDMENT OF RULE 1498, PHYSICAL EXAMINATION

1498 PHYSICAL EXAMINATION.

(a) All jockeys, apprentice jockeys, and drivers must pass a physical examination at least once a year before the commencement of the first race meeting of the year in which such jockey, apprentice jockey or driver intends to participate, or at such other time as the Board may direct. Such examination will be given by a doctor designated or approved by the Board, and the examination shall include a visual acuity examination and a hearing examination.

(b) In addition to subsection (a) above, the examination shall include a drug test to screen for such substances as described in subsections (b)(2)(A) through (b)(2)(E) of Rule 1500.1 of this article.

(1) A positive finding for any of the drugs or classes of drugs described in subsections (b)(2)(A) through (b)(2)(E) of Rule 1500.1 of this article shall result in the jockey/driver not being cleared to ride/drive until he or she has successfully passed such examination.

(c) The Board or the stewards may require that any jockey, apprentice jockey or driver be re-examined at any time, and the Board or the stewards may refuse to allow any jockey, apprentice jockey or driver to ride or drive until he or she has successfully passed such examination.

Authority: Sections 19420, 19440 AND 19520
Business and Professions Code

Reference: Sections 19440, 19520 AND 19521
Business and Professions Code

Horseracing Integrity and Safety Authority Approved Regulations Regarding Concussion Protocols:

2000 RACETRACK SAFETY PROGRAM.

2010 DEFINITIONS.

Concussion means an injury to the brain that results in temporary loss of normal brain function.

2100 RACETRACK ACCREDITATION.

2132 MEDICAL DIRECTOR.

(11) Implement the program for Concussion evaluation, rider exclusion and clearance, and return to ride protocol;

2166 HUMAN AMBULANCE SUPPORT.

(b) Racetracks shall ensure the Advanced Life Support ambulance staff has been trained in Concussion management. Any Jockey who falls or is thrown from a Horse during a race must be examined by the Advanced Life Support staff. Advanced Life Support staff shall report their findings to the stewards who will determine if the Jockey may continue riding.

2190 JOCKEY HEALTH

2192 CONCUSSION MANAGEMENT.

State Racing Commissions, or Racetracks if the applicable State Racing Commission does not enter into an agreement with the Authority, shall implement a Concussion management program for Jockeys containing the following elements:

(a) Each Jockey shall acknowledge in writing that they have been made aware of the Concussion protocols in place for the facility at which they are riding;

(b) A minimum assessment shall include a current Concussion assessment tool examination;

(c) A return-to-ride guideline shall be established in order to clear a Jockey who has been concussed, or is believed to have been concussed, once the Jockey is declared fit-to-ride; and

(d) The stewards shall be notified when a Jockey is not permitted to ride and when the Jockey has been authorized to return to riding.

2200 SPECIFIC RULES AND REQUIREMENTS OF RACETRACK SAFETYPROGRAM.

2290 REQUIREMENTS FOR SAFETY AND HEALTH OF JOCKEYS.

2291 JOCKEY ELIGIBILITY.

(a) A Jockey shall pass a physical examination given within the previous twelve (12) months by a licensed physician affirming the Jockey's fitness to participate as a Jockey, as well as a baseline Concussion test using a current Concussion testing protocol. The results of the physical examination and the baseline Concussion test shall be submitted to the State Racing Commission and the Authority.

(b) The stewards may require that any Jockey be reexamined and may refuse to allow any Jockey to ride in a race or Workout pending completion of such examination.

Concussion Management and Return to Ride Guidelines

All jockeys must maintain an active account in the Jockey Health Information System (JHIS). A Jockeys' Guild representative or member of The Jockey Club's InCompass staff will assist in providing the jockey a username and password to create an account. A track representative and/or medical health care provider(s) will also be given login credentials to access jockey health information. Anyone with access to the JHIS must be trained and must provide documentation that they are compliant with HIPPA guidelines. It is the jockey's responsibility to maintain his/her personal information and update injuries including race and non-race related incidents. Prior to riding at the meet, each jockey shall be required to have his/her baseline assessment on file in the JHIS. Baseline assessments shall be uploaded into the JHIS.

1. The track shall identify an individual professionally trained in concussion testing to perform baseline concussion assessment of all jockeys and train the on-site medical team in return to ride guidelines.
2. The track shall identify a track representative and/or medical health care provider who has access to the JHIS system who can be on call during the meet in the case of an injury to ensure that information will be sent to the medical facility in the event of an injury.
3. The track will insure that staff and officials are trained in the identification of a potential concussion and will ensure the written protocols (pocket SCAT-5 guide) are available.
4. All jockeys, prior to the meet, shall have a baseline concussion assessment administered by the health care provider. Baseline concussion assessments must be completed annually barring a head injury within that time. If the baseline assessment has not been performed at the current track or entered in the JHIS following completion at another track within 12 months, the medical health care provider will require a baseline assessment prior to riding.
5. The baseline assessment shall consist of a symptoms checklist and the Sport Concussion Assessment Tool -5th Edition (SCAT-5) Standardized Cognitive and Balance Assessment.
6. If an incident occurs in which a concussion is possible, the jockey should be immediately evaluated by the health care provider, who is professionally trained in concussion management, to determine the extent of the injury and whether or not emergency management and transportation to a trauma center is necessary.
7. After any incident where a jockey sustains a fall or exhibits signs, symptoms, or behaviors consistent with a concussion, the jockey will be required to undergo an evaluation prior to returning to ride. The clerk of scales or stewards will notify the health care provider of any jockey with signs, symptoms, or behaviors consistent with a concussion. The clerk of scales or stewards will require the medical advisor or a health care professional who has been trained in the identification, evaluation and management of concussion to assess the jockey.
8. Post-injury assessments shall be uploaded into the JHIS for comparison and assessment after an incident.

9. Concussion protocols shall include but not limited to:
 - a. The concussion evaluation: (Should be evaluated in a quiet environment i.e. jocks room)
 - i. Symptom assessment
 - ii. Physical and neurological examination
 - iii. Administration of SCAT-5 and compared to baseline for cognitive assessment and balance exam
 - iv. Clinical/physical assessment for cervical spine trauma, skull fracture, and intracranial hemorrhage (bleeding)
 - b. The evaluation shall be administered by the medical advisor or health care professional who has been trained in the evaluation and management of concussion.
 - c. If after assessment of the athlete, the medical advisor does not think or suspect that a concussion has occurred a recommendation may be made for the jockey to return to ride.
 - d. If after assessment of the jockey, the medical advisor suspects that further evaluation and time is needed to make a decision, the jockey will be held out until further evaluation can occur and medical judgement can be made whether to return to ride. The diagnosis of a concussion will be made if the Glasgow Coma Score is less than 15, the athlete exhibits any symptoms, signs or behaviors consistent with concussion, the SCAT-5 is abnormal compared to the baseline or the diagnosis is in doubt. The athlete will be removed from competition until evaluated by a concussion specialist and managed until the concussion has resolved. Repeat SCAT-5 testing will also be administered and used to help manage the concussion. The athlete will not return to ride until receiving a written release from the health care provider with experience in concussion evaluation and management.
 - e. The results of all assessments and tests, as well as medical recommendations, will be uploaded into the JHIS as soon as possible.
10. In the event that a jockey has been diagnosed with a concussion, the jockey and their family will be provided with take home instructions.
11. Before returning to ride, jockeys who have been diagnosed with a concussion must have written clearance from a medical health care provider, trained in concussion management, prior to being allowed to return to ride.
12. A standardized "Return to Ride Guidelines" will be made available to the jockey.

CONCUSSION INFORMATION and PROTOCOLS FOR LICENSED JOCKEYS

Each jockey, licensed to ride in the State, shall be provided a copy of this document to read and sign, acknowledging he or she has been advised of the protocols in place regarding Concussion Management.

All licensed jockeys shall have a baseline concussion assessment annually, to be administered by a recognized health care provider. Additionally, in the event of an injury, a jockey shall provide an updated baseline concussion assessment.

CONCUSSION FACTS

- Concussion is a brain injury that alters the way your brain functions
- Concussion can occur from a blow to the head/or body:
 - following a fall from horse and hitting your head or even from a whiplash motion
- Most concussions occur without being knocked unconscious
- Severity of injury depends on many factors and is not known until symptoms resolve and brain function is back to normal
- All concussions are not created equally. Each rider is different, and all injuries should be evaluated by your team medical staff.

CONCUSSION SYMPTOMS

- Different symptoms can occur and may not show up for several hours. *Symptoms may worsen with physical or mental exertion (e.g. lifting, computer use, reading, etc.)*

Common symptoms include:

- | | | |
|-----------------------------------|--------------------------------------|-----------------------------------|
| ○ Confusion | ○ Difficulty Concentrating | ○ Slowed Reaction Time |
| ○ Headache | ○ Feeling Sluggish, Foggy, or Groggy | ○ Feeling More Emotional |
| ○ Amnesia/ difficulty remembering | ○ Nausea | ○ Sleep Disturbance |
| ○ Balance Problems | ○ Sensitivity to Noise | ○ Loss of Consciousness |
| ○ Irritability | ○ Sensitivity to Light | ○ Double, Blurry, or Fuzzy Vision |
| ○ Dizziness | | |

WHY SHOULD I REPORT MY SYMPTOMS?

- Your brain is the most vital organ in your body
- Riding while still experiencing symptoms can prolong the time it takes to recover, and could put you or other riders at risk of a significant injury due to difficulty making good decisions and having slower reaction time
- Unlike other injuries, there may be significant consequences to “riding through” a concussion
- Repetitive brain injury, when not managed promptly and properly, may cause permanent damage to your brain

CONCUSSION INFORMATION and PROTOCOLS FOR LICENSED JOCKEYS

WHAT SHOULD I DO IF I THINK I HAVE HAD A CONCUSSION?

1. **REPORT IT.** Never ignore symptoms even if they appear mild. Look out for your fellow jocks. Tell your Race Track Physician if you think you or another rider may have a concussion
2. **GET CHECKED OUT.** Your team medical staff has your health and well-being as its first priority. They will manage your concussion according to best practice standards which include being fully asymptomatic, both at rest and after exertion, and having a normal neurologic examination, normal neuropsychological testing, and clearance to play by the team medical staff.
3. **TAKE CARE OF YOUR BRAIN.** According to the CDC, “traumatic brain injury can cause a wide range of short or long term changes affecting thinking, sensation, language, or emotions.” These changes may lead to problems with memory and communication, personality changes, as well as depression and the early onset of dementia. Concussions and conditions resulting from repeated brain injury can change your life and your family’s life forever.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT YOUR MEDICAL PROVIDER

In the event there is reason to believe you suffered a concussion, you and your family will be provided with additional take home instructions. In order to insure a safe return to ride, you will need to comply with the Return to Ride Protocol. It is a protocol made of 5 steps that makes sure that your brain recovers appropriately. These steps may vary slightly, but essentially after you are symptom free for 24-72 hours, depending on severity, you may start “Return to Ride” protocol.

Additionally, before returning to ride, all jockeys who have been diagnosed with a concussion must have written clearance from a medical health care provider, trained in concussion management.

I _____ have read and understood this concussion form that is presented to me today. I am aware that at the conclusion of reading this form that I have the opportunity to ask the medical staff any questions/concerns I may have.

Print Name

Signature

Date

Adapted from www.cdc.gov/Concussion. For more information about concussion, please visit www.cdc.gov/Concussion

Concussion Take Home Instructions

What is a concussion?

A concussion is a type of traumatic brain injury (TBI) caused by a bump, blow, or jolt to the head or body that causes the head and brain to move quickly back and forth.

What should I expect?

During recovery, it is important to know that many people have a range of symptoms. Some symptoms may appear right away, while others may not be noticed for hours or even days after the injury. You may not realize you have symptoms until you try to perform normal activities again.

What can I do to feel better?

Getting plenty of rest and sleep helps the brain to heal. Do not try to do too much too fast. As you start to feel better, you can slowly and gradually return to your usual routine.

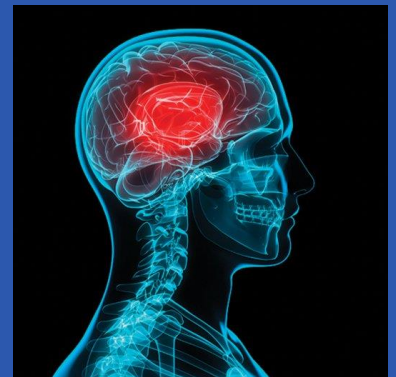
- Avoid activities that are physically demanding or require a lot of thinking or concentrating. Ignoring your symptoms often makes symptoms worse.
- Ask your health care professional when you can safely drive or begin exercising.
- Do not drink alcohol.

Signs and Symptoms you may experience:

- Headache
- “Pressure in head”
- Nausea and vomiting
- Dizziness
- Confusion
- Changes in behavior (irritability, sadness, nervous or anxious)
- Vision problems
- Slurred speech
- Difficulty falling asleep
- Trouble hearing/Ringing in ears
- Fatigue or low energy
- Difficulty concentrating
- Difficulty remembering
- Feeling slowed down

Seek medical attention if you experience:

- Repeated vomiting
- Loss of consciousness
- Weakness or numbness
- Difficulty with your vision



RETURN TO RIDE AUTHORIZATION FORM

MEDICAL AUTHORIZATION TO RETURN TO PLAY WHEN A JOCKEY HAS BEEN REMOVED DUE TO A SUSPECTED CONCUSSION OR INJURY

This form shall serve as the authorization that the physician or licensed medical professional has examined the jockey and has cleared the jockey to return to participation. The location of the incident was _____ and the date of the incident was _____. The physician or licensed medical professional must complete this form and submit to the medical personnel or stewards at the returning racetrack prior to the jockey's resumption of participation in practice and/or competition.

Head Injury (e.g., Concussion)

I, _____, have examined the following jockey, _____, who was removed from riding due to exhibiting signs/symptoms/behaviors consistent with a concussion. I have examined this athlete, provided an appropriate return to riding, if necessary, and determined that the jockey is cleared to resume participation on this date _____.

Other Injury (e.g., Orthopedic, Internal, Neurological, Ophthalmology)

I, _____, have examined the following jockey, _____, who was removed from riding due to an injury to _____. I have examined this athlete, provided an appropriate return to riding, if necessary, and determined that the jockey is cleared to resume participation on this date _____.

Signature of Medical Professional: _____

Date: _____

MedStar Race Day Jockey Injury Protocol

Paddock, Post Parade, Prior to Gate

If a patient sustains the following injuries, they shall be evaluated immediately by Maryland Jockey Club Emergency Medical Services (EMS) and if not requiring off-site emergency transport, the patient shall be evaluated by Medstar Racetrack physician immediately.

- Altered mental status;
- Chest /abdomen/head trauma;
- Loss of consciousness;
- Down on ground > 2 minutes;
- Abnormal vital signs on evaluation;
- Seizure;
- Inability to walk immediately following injury.

If patient is stable, able to ambulate and refuses care, they may continue to race.

Jockeys must be evaluated by a physician prior to end of day

Physician on track will determine if rider is safe to ride and not at risk of harming other jockeys. If jockey is unable to ride, a text message must be sent to stewards, racing secretary, clerk of scales, and medical director by EMS staff.

During Race

If rider falls off of horse after they leave the starting gate, they must be evaluated by EMS. If rider is stable and does not require immediate off-site transfer, rider must be seen prior to next race by MedStar Racetrack Physician.

Exam dictated by physician evaluating jockey and medical opinion. Concussion evaluation as indicated (see concussion protocol).

Return to ride decision will be made by physician. Text message must be immediately sent by physician to Stewards, Racing Secretary, and Clerk of Scales updating status of rider. In addition, email should be sent to [REDACTED] physician covering next day, and [REDACTED] from Chesapeake Injured Workers Fund. If patient is held from racing, it is highly recommend that they need re-evaluation and clearance prior to riding at another track. Many tracks have similar policies and require physicians note to resume riding or working. Physicians shall check riding status for jockeys. These can be found on HorseRacesNow, Equibase etc.

If patient is being transferred off-site, Medical Director shall be notified with information and anticipated hospital location.

Maryland Jockey Club Injury report must be completed with every fall no matter how significant or insignificant. Form must be FULLY completed. This form should be given to

[REDACTED] and she will file claim and obtain claim number from Chesapeake Injured Workers Fund.

Handout with worker's compensation insurance vital information, should be given to rider.

If jockey refuses to be seen, Stewards, Racing secretary, and Medical Director must be notified. Jockeys will not be permitted to until they are evaluated and cleared by a physician and final clearance by Medstar Physician.

If rider has a significant fall at outside track, they need to have a note from a physician or be cleared by a Medstar Physician.

Long term injuries

When a rider is returning from long time injury, they must present clearance from specialist and be cleared by a Medstar physician. This will be communicated by text message to Stewards, Clerk of Scales, and Medical Director.

Riders

All riders must provide basic information to Clerk of Scales and shall have all medical paperwork completed and on file in case of emergency. Riders must obtain physical each year.

All jockeys who are regular riders at Laurel Park must have routine pre-participation physical completed by Medstar Physicians yearly. This includes Baseline SCAT5 concussion evaluation.

Program should be reviewed by physician and Clerk of Scales regularly for any unfamiliar riders.

Any refusal should be communicated to Stewards and Clerk of Scales.

Contacts:

Racing Secretary

[REDACTED]

Stewards

[REDACTED]

[REDACTED]

[REDACTED]

Clerk of Scales

[REDACTED]

Medstar Medical Directors

[REDACTED]

[REDACTED]

HORSEMEN'S HEALTH MORNING RIDER PROTOCOL

During morning training at Laurel Park and Pimlico, if a rider falls from a horse or has another injury, they are immediately evaluated by Maryland Jockey Club's EMS team. EMS then generates a detailed report, as usual practice, for every incident. If the affected rider is released, the rider is provided by EMS information about the Horsemen's Health System medical clinic and hours of operation. The rider should then be instructed by EMS to call clinic manager [REDACTED] to schedule an appointment for follow-up care. If the rider refuses care, this must be documented and, depending on injury, may result in restricted riding privileges.

In a case containing any significant injury, the injured rider must be notified that they must to be evaluated by a physician, preferably one of our clinic Physicians within a week. Failure to do so, will result in being placed on a list for restricted riding privileges in Maryland, strictly enforced by Maryland Jockey Club and Maryland Racing Commission. These injuries include:

- Altered mental status;
- Chest /abdomen/head trauma;
- Loss of consciousness;
- Down on ground > 2 minutes;
- Abnormal vital signs on evaluation;
- Seizure;
- Fall from full speed ride;
- Inability to walk immediately following injury.

If an injured rider does not follow up with a physician, or refuses care altogether, they will lose their riding privileges at Laurel Park and Pimlico.

If a rider sustains a significant injury requiring transportation to an outside hospital, after transportation is secured, EMS is to immediately notify [REDACTED] by phone or text at [REDACTED] of an incident. EMS shall also provide the outside unit with an information sheet which contains instructions how to contact one of our clinic physicians. Outside EMS units shall also be instructed to ask the attending Emergency Department physician to call one of our clinic physicians to coordinate care. The information sheet will also contain the clinic's fax number to obtain relevant paperwork and discharge information.

At the end of each day, EMS shall place a copy of ALL reports from Laurel Park and Pimlico in MTHA mailbox for [REDACTED]. These reports may also be securely emailed to [REDACTED] or faxed to [REDACTED].

[REDACTED] will then contact injured riders and schedule follow up with clinic physicians. She will also scan all reports and hospital files into the rider's medical record in the Electronic Medical Record. Clinic physicians will then review all EMS reports and determine future action.

These protocols will also streamline work required for Worker's Compensation claims which are crucial for the riders and their employers.

HORSEMEN'S HEALTH MORNING RIDER PROTOCOL

Riders will obtain clearance by clinic physicians after appropriate evaluation and will notify MJC Director of Racing [REDACTED] that they may be removed from restricted list. If riders are evaluated by an outside facility and cleared, they must just provide documentation of final clearance.

Return to Ride Communication Tool

<p>STAGE 1:</p> <p>No sporting activity</p> <p>Symptom-limited physical and cognitive rest;</p> <p>Any person sustaining a head injury must be without symptoms prior to starting Return to Ride (RTR) progression</p>	<p>STAGE 2:</p> <p>Light aerobic/ cardiovascular exercise</p> <p>Walking, swimming, stationary cycling, 15-30 minutes</p> <p>No resistance training. Heart rate \leq 70%</p> <p>Grooming/Feeding Horses</p>	<p>STAGE 3:</p> <p>Equine/Sport-specific exercise</p> <p>Jump Rope/Squat Jump Jumping Jacks Box Jumps/Step Ups Burpees/Lunge Jump Mountain Climbers Bicycle Circles/Pushups</p> <p>Equicizer: 2 trials at 30-45 seconds each with 30 second rest.</p> <p>No head-impact activities: Barn work, cleaning stalls</p>	<p>STAGE 4:</p> <p>Non-contact riding</p> <p>Equicizer: 6 trials: 30 sec on/off 1 min on/off 1.5 min on/off 2 min on/off</p> <p>May start resistance training.</p>	<p>STAGE 5:</p> <p>Re-introduction to Horse</p> <p>Following medical clearance, participating in galloping and breezing during morning workout (no others on track); 30-min mounted individual trot</p> <p>Release to all strength/ endurance activities at max HR</p>	<p>STAGE 6:</p> <p>Return to Horse/ Competition:</p> <p>Medical clearance will be determined by team physician</p>	
<p>Recovery</p>	<p>Increase heart rate</p>	<p>HR \leq 85% Maximum; increase strength, balance</p>	<p>HR to $<$ 95% Max; increase balance/ coordination/cognition</p>	<p>Restore confidence; assess functional skills</p>		
<p>Symptom-free for 24 hours?</p> <p>Yes: Begin Stage 2 No: Continue resting.</p> <p>Time and date completed: _____ _____ _____ _____</p>	<p>Symptom-free for 24 hours?</p> <p>Yes: Move to Stage 3 No: Return to Stage 1.</p> <p>Time and date completed: _____ _____ _____ _____</p>	<p>Symptom-free for 24 hours?</p> <p>Yes: Move to Stage 4 No: Return to Stage 2.</p> <p>Time and date completed: _____ _____ _____ _____</p>	<p>Symptom-free for 24 hours?</p> <p>Yes: Move to Stage 5 No: Return to Stage 3.</p> <p>Time and date completed: _____ _____ _____ _____</p>	<p>Symptom-free for 24 hours?</p> <p>Yes: Return to play No: Return to Stage 4.</p> <p>Time and date completed: _____ _____ _____ _____</p>		

Medical clearance required before moving to Stage 6

If symptoms reappear at any stage, go back to the previous stage until symptom free for 24 hours. You may need to move back a stage more than once during the recovery process.



Agenda Item 5

STAFF ANALYSIS
DISCUSSION REGARDING THE FEASIBILITY OF REQUIRING A BREEDING
RIGHT BE GRANTED TO JOCKEYS WHO RIDE COLTS OR HORSES WHO WIN
GRADED STAKES IN CALIFORNIA

Jockey and Driver
Welfare Committee
Meeting

May 18, 2022

ISSUE:

The Jockey and Driver Welfare Committee is seeking comment and discussion on the feasibility of requiring owners to provide a single, one-time breeding right or season to the rider of colts or horses who win certain stakes races in California.

ANALYSIS:

Traditionally, owners would voluntarily give a stallion share to the regular rider and trainer of horses that retire to stud. That practice has evolved, some would say eroded, over time and now often includes a single season breeding right. Heretofore, all of these practices have been voluntary. The California Horse Racing Board (CHRB) seeks input from stakeholders regarding the feasibility of making this practice a regulatory requirement.

RECOMMENDATION:

This item is presented for Committee discussion.

CALIFORNIA HORSE RACING BOARD

May 18, 2022

JOCKEY AND DRIVER

WELFARE COMMITTEE

MEETING

There is no board package material for Item 6