

**State of California
Office of Administrative Law**

In re:
California Horse Racing Board

Regulatory Action:

Title 04, California Code of Regulations

Adopt sections:

Amend sections: 1866.3

Repeal sections:

NOTICE OF APPROVAL OF REGULATORY
ACTION

Government Code Section 11349.3

OAL Matter Number: 2024-0319-02

OAL Matter Type: Regular (S)

This action amends the California Horseracing Board's regulations to include a prohibition on administration of corticosteroid intra-articular joint injections into high-motion joints of horses, unless diagnostic imaging of the joint is performed within seven days preceding the injection.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/1/2024.

Date: April 2, 2024



Dale Mentink
Assistant Chief Counsel

For: Kenneth J. Pogue
Director

Original: Scott Chaney, Executive
Director

Copy: Rick Pimentel

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULARSee instructions on
reverse)

STD. 400 (REV. 10/2019)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2024-0123-03	REGULATORY ACTION NUMBER 2024-0319-02S	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY California Horse Racing Board			

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

APR 02 2024

1:58 PM

OFFICE OF ADMIN. LAW
2024 MAR 19 PM 1:50

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/ Withdrawn		NOTICE REGISTER NUMBER 2024-5-2	PUBLICATION DATE 2/2/2024

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Corticosteroid High-Motion Joint Injection		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT	
AMEND		1866.3	
TITLE(S) 4		REPEAL	
3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))			
<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.			
<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))			
<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> File & Print			
<input type="checkbox"/> Print Only			
<input type="checkbox"/> Other (Specify) _____			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))			
<input type="checkbox"/> Effective on filing with Secretary of State			
<input type="checkbox"/> §100 Changes Without Regulatory Effect			
<input type="checkbox"/> Effective other (Specify) _____			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)			
<input type="checkbox"/> Fair Political Practices Commission			
<input type="checkbox"/> State Fire Marshal			
<input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Rick Pimentel		TELEPHONE NUMBER (916) 274-6043	FAX NUMBER (Optional)
			E-MAIL ADDRESS (Optional) repimentel@chr.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE C. Scott Chaney	DATE 3/19/2024
TYPED NAME AND TITLE OF SIGNATORY Scott Chaney, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

APR 02 2024

Office of Administrative Law

CALIFORNIA CODE OF REGULATIONS
TITLE 4. BUSINESS REGULATIONS
DIVISION 4. CALIFORNIA HORSE RACING BOARD
ARTICLE 15. VETERINARY PRACTICES
AMENDMENT OF RULE 1866.3,
INTRA-ARTICULAR INJECTIONS RESTRICTED

1866.3. Intra-articular Injections Restricted.

(a) No person shall permit or administer a corticosteroid intra-articular joint injection into a high-motion joint of a horse unless diagnostic imaging of that joint is performed within the seven days preceding the injection.

(1) For purposes of this regulation, "high-motion joints" shall be defined as the metacarpophalangeal, metatarsophalangeal, and carpus joints.

(2) For purposes of this regulation, "diagnostic imaging" shall be defined as radiographs, a positron emission tomography (PET) scan, scintigraphy, a computerized tomography (CT) scan, magnetic resonance imaging, or ultrasound.

(ab) No person shall permit a horse to race if it has received an intra-articular joint injection within fourteen (14) days of race day.

(bc) No person shall permit a horse to race if it has received a corticosteroid intra-articular joint injection into a fetlock joint within thirty (30) days of race day.

(1) For purposes of this section, "fetlock joint" includes both the metacarpophalangeal joints and the metatarsophalangeal joints.

(ed) In accordance with section 1866, subsection (d)(1), no person shall permit a horse to complete a timed workout if it has received a corticosteroid intra-articular joint injection within the previous ten (10) days.

(de) The official veterinarian shall place any horse receiving intra-articular joint injection treatment on the Veterinarian's List for a length of time consistent with the time period established in subsection (ab) or (bc), as applicable.

(ef) Any person in violation of subsection (a), (b), ~~or (c)~~ or (d) shall be considered to have committed a prohibited veterinary practice and will be subject to a Category A penalty as described in section 1843.3.

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

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