

## INITIAL STATEMENT OF REASONS

### RULE 1866.3. INTRA-ARTICULAR INJECTIONS RESTRICTED

#### SPECIFIC PURPOSE OF THE REGULATION

The proposed regulatory action will amend California Horse Racing Board (Board) Rule 1866.3, Intra-articular Injections Restricted, to prohibit administration of a corticosteroid intra-articular joint injection into a high-motion joint of a horse without diagnostic imaging of the joint having been performed within seven days prior to the injection. The amendment will also define “high-motion joints” and “diagnostic imaging” and make non-substantive edits.

#### PROBLEM

A corticosteroid intra-articular joint injection is often administered into a high-motion joint of a racehorse without diagnostic imaging having been performed beforehand. This is problematic because the horse could have an underlying condition that may be compounded by the injection. For example, corticosteroids can travel from joints to surrounding soft tissues, where they have been shown to delay healing of injury. Additionally, repeated corticosteroid injections may have detrimental effects on cartilage. Furthermore, as corticosteroids alleviate pain and inflammation, horses are often able to continue training at full-bore after having received such an injection, which is especially problematic for high-motion joints because relatively greater forces are involved than with other joints. The Board, therefore, seeks to amend Board Rule 1866.3, Intra-articular Injections Restricted, to require the performance of diagnostic imaging prior to a corticosteroid intra-articular joint injection into a high-motion joint, which will help identify any issues and inform the practitioner in the decision to administer the injection.

#### NECESSITY

The proposed regulatory action will add a new subsection (a) to Board Rule 1866.3 to prohibit a person from allowing or administering a corticosteroid intra-articular joint injection into a high-motion joint of a horse unless diagnostic imaging of the joint is performed within seven days prior to the injection. This is necessary because such an injection, as well as subsequent training made possible by the injection, could exacerbate an underlying condition. Diagnostic imaging performed beforehand would otherwise help detect any issues that could then be addressed appropriately.

Subsection (a)(1) will be added to define “high-motion joints.” This is necessary to avoid any ambiguity regarding the joints to which the new subsection (a) applies, which will help ensure compliance with the rule.

Subsection (a)(2) will be added to define “diagnostic imaging.” This is necessary so that practitioners are aware of what qualifies as diagnostic imaging, which will help ensure compliance with the rule.

The current subsections (a) through (e) will be renumbered to accommodate the addition of the new subsection (a).

The current subsection (d), which will be renumbered as subsection (e), will be amended to revise the references to the current subsections (a) and (b) to reflect their renumbering as subsections (b) and (c), respectively.

The current subsection (e), which will be renumbered as subsection (f), will be amended to revise the references to the current subsections (a), (b), and (c) to reflect their renumbering as subsections (b), (c), and (d), respectively, and account for the addition of the new subsection (a).

## BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

By prohibiting the administration of a corticosteroid intra-articular injection into a high-motion joint of a horse unless diagnostic imaging is performed beforehand, the proposed regulatory action will help ensure that any underlying condition that could be exacerbated by the injection is first addressed, which will help prevent injury and, thereby, promote the health and welfare of the horse.

## TECHNICAL, THEORETICAL, OR EMPIRICAL STUDIES, REPORTS, OR OTHER DOCUMENTS

The Board did not rely on any technical, theoretical, or empirical studies, reports, or other documents in proposing this regulatory action.

## RESULTS OF THE 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 affect the creation or elimination of jobs within the state.
- The proposed regulation will not affect the creation of new businesses or the elimination of existing businesses within the state.
- The proposed regulation will not affect the expansion of businesses currently doing business within the state.
- The proposed regulation will not benefit the health and welfare of California residents, worker safety, or the state's environment.

The Board has made an initial determination that the proposed regulatory action 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 regulatory action will prohibit the administration of a corticosteroid intra-articular joint injection into a high-motion joint of a horse without diagnostic imaging of the

joint having been performed within seven days prior to the injection; define “high-motion joints” and “diagnostic imaging”; and make non-substantive edits. None of these changes poses a direct adverse economic impact to business.

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

The proposed regulatory action will prohibit the administration of a corticosteroid intra-articular joint injection into a high-motion joint of a horse without diagnostic imaging of the joint having been performed within seven days prior to the injection; define “high-motion joints” and “diagnostic imaging”; and make non-substantive edits. As such, the proposed regulatory action will not result in the creation or elimination of jobs within the state.

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

The proposed regulatory action will prohibit the administration of a corticosteroid intra-articular joint injection into a high-motion joint of a horse without diagnostic imaging of the joint having been performed within seven days prior to the injection; define “high-motion joints” and “diagnostic imaging”; and make non-substantive edits. As such, the proposed regulatory action will not result in the creation of new businesses or the elimination of existing businesses within the state.

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

The proposed regulatory action will prohibit the administration of a corticosteroid intra-articular joint injection into a high-motion joint of a horse without diagnostic imaging of the joint having been performed within seven days prior to the injection; define “high-motion joints” and “diagnostic imaging”; and make non-substantive edits. As such, the proposed regulatory action will not result in the expansion of businesses currently doing business within the state.

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

The proposed regulatory action will prohibit the administration of a corticosteroid intra-articular joint injection into a high-motion joint of a horse without diagnostic imaging of the joint having been performed within seven days prior to the injection; define “high-motion joints” and “diagnostic imaging”; and make non-substantive edits. As such, the proposed regulatory action will not benefit the health and welfare of California residents, worker safety, or the state’s environment.

## ALTERNATIVES TO THE PROPOSED REGULATION 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, 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 REGULATION

The proposed regulatory action was discussed at the September 21, 2023 Board meeting. No alternatives to the regulation 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 that offer any alternative proposal.

CALIFORNIA HORSE RACING BOARD  
February 2, 2024