

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



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Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Contact Phone \_\_\_\_\_

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Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_

Location and Time of Public Meeting \_\_\_\_\_

## NOTICE OF PUBLIC HEARING

The Arkansas Racing Commission will meet on December 10, 2020, at 11:00 a.m. in the Commission office located at 1515 West Seventh Street, Suite 500, Little Rock, Arkansas, to consider the adoption of the following rule changes:

(1) Thoroughbred Rule 1217C Prohibited Practices; Extracorporeal Shock Wave Therapy; Radial Pulse Wave Therapy. Proposed amendment (i) to prohibit shockwave therapy and other similar treatments on horses on the grounds of Oaklawn; (ii) to prohibit equipment for shockwave and other similar treatments in the stable area at Oaklawn; and (iii) to prohibit horses that have received such treatments from racing at Oaklawn for a period of thirty (30) days after the treatment.

(2) Thoroughbred Rule 1217D(5). Proposed amendment to prohibit the use of Clenbuterol or any other beta-2 agonist within sixty (60) days of a race.

(3) Thoroughbred Rule 1217E Furosemide as a permitted foreign substance. Proposed amendment to reduce the permitted dosage of furosemide from 500 to 250 milligrams, unless authorized by the commission veterinarian; and sets the testing threshold for furosemide at 50 nanograms if the dosage is 250 milligrams.

(4) Thoroughbred Rule 1217E - Uniform Classification Guidelines for Foreign Substances and Recommended Penalties Model Rule. Proposed amendment to classify different prohibited drugs according to their seriousness and provides recommended penalties for owners and trainers that have horses that test positive for the presence of a prohibited drug.

(5) Thoroughbred Rule 1232. Proposed amendment (i) to reduce maximum level of Lasix administration to 250 milligrams unless the official veterinarian approves a dose of up to 500 milligrams; and (ii) to allow Oaklawn to write (A) Lasix-free 3-year old races as necessary for the race participants to be eligible to accumulate Kentucky Derby and Kentucky Oaks points, and (B) Lasix-free stakes races as necessary for such stakes races to remain eligible for graded status.

(6) Thoroughbred Rule 1236. Proposed amendment to authorize the Commission to collect and test horse hair for drugs and prohibited substances in addition to saliva, urine and blood.

(7) Thoroughbred Rule 1245(A). Proposed amendment to govern eligibility of horses testing positive for certain drugs named in this rule; also adds clenbuterol and the beta-2 agonists to the list of drugs tested for prior to a race.

(8) Thoroughbred Rule 1272. Proposed new rule to regulate corticosteroid and intra-articular injections and makes a horse ineligible to race for a period of fourteen (14) days following an intra-articular injection; also requires the trainer to maintain a complete record of all intra-articular joint injections.

(9) Thoroughbred Rule 2099.1(a)(4). Proposed amendment to require a horse which has not run for a period of six (6) months or more to be examined and approved for racing by the trainer's practicing veterinarian, where formerly, the Commission veterinarian performed these duties; also sets out the required number of work outs prior to entering a race for horses that have not raced in six (6) months or more,

(10) Thoroughbred Rule 2133. Proposed new rule to require trainers and veterinarians to keep records of all medical treatments administered to horses; also requires records of treatments to horses to be available to the Commission veterinarian upon request.

(11) Thoroughbred Rule 2163. Proposed amendment to amend and further define the permitted use of a riding crop and define the only permissible riding crops as 360 Gentle Touch (360 GT) riding crop, Pro-Cush riding crop, or other similar riding crops approved by the Stewards; also adds exercise riders to the list of persons required to wear safety vests when riding horses at Oaklawn.

(12) Thoroughbred Rule 2212. Proposed amendment to allow entries coupled because of common ties, i.e., ownership or trainers, to race in the same race if approved by Racing Secretary and Stewards; also establishes a procedure for a starting preference in races that overfill.

(13) Thoroughbred Rule 2225. Proposed amendment to require horses to be stabled on the grounds of Oaklawn for at least seventy-two (72) hours prior to a race. If a horse has not been stabled on the Oaklawn grounds for seventy-two (72) hours, it cannot start a race unless the owner / trainer gets the permission of the Racing Secretary.

(14) Thoroughbred Rule 2236. Proposed amendment to allow a horse to enter a race if it is on the official starter's or veterinarian's list; horses remain ineligible to start a race if they are on the starter's or veterinarian's list at race time. Under the amended rule, a horse can enter a race while on the starter's or veterinarian's list but cannot start if the horse is not removed from the list prior to the race.

(15) Thoroughbred Rule 2263(A). Proposed amendment to govern eligibility of horses testing positive for certain drugs named in the rule; adds clenbuterol and the beta-2 agonists to the list of drugs tested for prior to a race. Any horse testing positive for clenbuterol and the other listed drugs shall not be eligible to start a race at Oaklawn until it subsequently tests negative for such substance in a form and substance acceptable to the Stewards.

(16) Thoroughbred Rule 2434. Proposed amendment to provide for testing for clenbuterol and beta-2 agonists in claimed horses. If a horse tests positive for clenbuterol or other beta-2 agonists after a claim, the successful claiming owner may void the claim under this amended rule.

Any persons wishing to speak for or against any of the above-proposed rule changes should appear at the meeting on December 10, 2020, and they will be given the opportunity to express their views. Persons wishing to submit written comments on the above-proposed rule changes should send them to the Arkansas Racing Commission, P.O. Box 3076, Little Rock, Arkansas 72203, prior to the close of business on Monday, December 7, 2020. Copies of the complete text of the proposed rule changes can be obtained from the Racing Commission office during normal business hours and from the Secretary of State's office.