

2. Rule 2240 et seq.—VETERINARIANS' LIST

The rule establishes a list of horses that have compromised health or unsoundness and prohibits these horses from racing. Further, the rule outlines the process by which the horses are determined to have recovered from their illness or unsoundness and may return to racing. Horses that participate in a race while medically or physically compromised are at risk for exacerbating the illness or physical injury, and in some cases having a career-ending or catastrophic injury, also risking severe injury to the jockey. The rule prevents affected horses from racing until the horses have recovered from their illness or injury. The rule is designed to protect horses from worsening an existing condition, and allow for recovery, rehabilitation, and return to racing in a healthy state. The rule is intended to protect jockeys from injuries associated with falls from horses due to the horse incurring a severe injury during a race and falling at high speed. Racetracks benefit from the prevention of horse fatalities during races. Racetracks and Racing Commissions will benefit because the Veterinarians' List will be shared among all Racing Jurisdictions that horses put on the list at one jurisdiction will be identifiable when the horse moves to another jurisdiction.¹⁶

2240. Veterinarians' List

(a) A Veterinarians' List shall be maintained by the Authority of all Horses that are determined to be ineligible to compete in a Covered Horserace in any jurisdiction until released by a Regulatory Veterinarian.

(b) The following Horses shall be placed on the Veterinarians' List until removed in accordance with Rules 2241 and 2242:

(1) Horses affected by illness, physical distress, medical compromise, unsoundness, injury, infirmity, heat exhaustion, positive test or overage, administration of a medication invoking a mandatory stand down time, administration of Shock Wave Therapy, positive Out-of-Competition test or any other assessment or determination by Regulatory Veterinarians that such Horse is unfit to race;

(2) Horses which have not started in more than 365 days; and

(3) Horses which have not made a start prior to January 1 of their 4-year- old year.

(c) Trainers and Owners shall be notified in writing within 24 hours that their Horse has been placed on the Veterinarians' List.

(d) Diagnostic testing may be required for any Horse placed on the Veterinarians' List, at the discretion of

the Safety Director, Regulatory Veterinarian, or Association Veterinarian.

2241. Duration of Stay on the Veterinarians' List

Horses placed on the Veterinarians' List in accordance with Rule 2240 shall remain on the Veterinarians' List as follows:

- (a) Horses placed on the Veterinarians' List for unsoundness or Epistaxis shall remain on the list for 14 days;
- (b) Horses placed on the Veterinarians' List multiple times for unsoundness within the previous 365 days shall remain on the Veterinarians' List for 45 days for the second time, 75 days for the third time, and shall be barred from further racing after the fourth time;
- (c) Horses placed on the Veterinarians' List multiple times for Epistaxis within the previous 365 days shall remain on the Veterinarians' List for 30 days for the second time, 180 days for the third time, and shall be barred from further racing after the fourth time;
- (d) Horses placed on the Veterinarians' List for illness shall remain on the list for 7 days;
- (e) Horses treated with Shock Wave Therapy shall be placed on the Veterinarians' List for 30 days; and
- (f) If before, during, or after the workout for removal from the Veterinarians' List, the Horse is deemed to be unsound or to have Bled, the stay on the Veterinarians' List shall be extended an additional 14 days, and further diagnostic testing may be required as determined by the Regulatory Veterinarian.

2242. Removal of Horses From the Veterinarians' List

Regulatory Veterinarians may remove Horses from the Veterinarians' List in accordance with Rule 2242 and shall document such removal to the Authority.

- (a) A Horse placed on the Veterinarians' List as unsound or suffering from Epistaxis may be removed from the Veterinarians' List upon satisfaction of paragraphs (1) through (3) below.

(1) A trainer must apply to the Regulatory Veterinarian for permission to work the Horse for removal from Veterinarians' List. Upon receiving such approval, the Trainer and Attending Veterinarian must observe the Horse jog and submit to the Regulatory Veterinarian a co-signed statement that the Horse is fit to perform a Workout.

(2) The Horse must perform a Workout under the supervision of the Regulatory Veterinarian and demonstrate to the satisfaction of the Regulatory Veterinarian that the Horse is sound to race.

(3) The Regulatory Veterinarian determines there is no evidence or signs of Epistaxis, physical distress, medical compromise, unsoundness, or lameness within 1 hour after the Workout conducted pursuant to paragraph (a)(2) above.

(b) A Horse placed on the Veterinarians' List as physically distressed or medically compromised may be removed from the Veterinarians' List provided sound health has been declared by the Attending Veterinarian or demonstrated to the Regulatory Veterinarian and documented to the Authority.

(c) In addition to the requirements set forth herein and any requirements of the Protocol, if a Horse is placed on the Veterinarians' List for a positive test or overage of a primary substance invoking a mandatory stand down time, a positive Out-of-Competition test, or any other veterinary administrative withdrawal, the Horse shall be prohibited from entering a Race and may be released from the Veterinarians' List only after also undergoing a post- Workout inspection by the Regulatory Veterinarian.