

Procedures Related to 1658 Vesting of Title to Claimed Horse

Voiding of Claims

The amendment to 1658 voids claims for horses placed on the CHR B Veterinarian's List as Unsound or Lam e become effective May 9th. The Executive Director set May 16, 2013, as the start date for the CHR B to begin implementing the rule. To ensure uniformity a state-wide conference call of official veterinarians and stewards reviewed the procedures and protocols prior to the implementation of the rule. Those procedures were presented to the Board in September, 2012 and June, 2012, and are attached below.

It is important to remind owners and trainers the official veterinarians are not doing pre-purchase exams. No one should expect a perfect horse from a claim any more than we only allow perfect horses to race. The criteria are whether a horse should be placed on the Veterinarian's List as Unsound or Lam e. And without a doubt, there will be horses that are released to the new claimant that are less than perfect and will come up with problems later. That has always been the case even before this rule. As with pre-race examinations, the official veterinarians strive for consistency. Regardless, once the official veterinarian has released the horse from his or her custody there is no provision allowing a claim to be voided.

Horses placed on the Veterinarian's List as unsound or lame must work satisfactorily for the official or association veterinarian and pass a post-work blood test prior to being removed from the list and allowed to start.

All voided claims are now reported in the steward's minutes from each track.

The Board welcomes comments, suggestions and public comments. The meeting for public comment would be the Medication & Track safety Committee which meets several times a year.

RULE 1658. VESTING OF TITLE TO CLAIMED HORSE.

1658. Vesting of Title to Claimed Horse.

(a) Title to a horse which is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the horse becomes a starter; and said successful claimant becomes the owner of the horse unless voided by the stewards under the provisions of this article Only a horse which is officially a starter in the race may be claimed. A subsequent disqualification of the horse by order of the stewards or the Board shall have no effect upon the claim.

(b) The stewards shall void the claim and return the horse to the original owner if:

(1) The horse suffers a fatality during the running of the race or

(2) The racing or official veterinarian determine the horse will be placed on the Veterinarian's List as unsound or lame before the horse is released to the successful claimant.

(c) The claim shall be void if the race is called off, canceled, or declared no contest in accordance with Rule 1544 of this division.

Procedures for Voiding Claims (May 16, 2013):

- All claimed horses capable to do so are to be sent to the Receiving Barn for post-race testing and post-race evaluation by the official veterinarian.
- The horse will be examined in or near the Receiving Barn by the official veterinarian in a manner similar to how other horses are evaluated post-race for possible unsoundness or lameness.
- Unless otherwise designated for post-race testing, only blood samples (official and split samples) will be drawn.
- If the official veterinarian determines the horse is lame or unsound and will be placed on the Veterinarian's List, the official veterinarian will notify the stewards prior to the horse leaving the receiving barn.
- Based on the findings of the official veterinarian the stewards will determine whether the claim will be voided. If the stewards decide the claim is void, the horse will remain in the control of the original owner. If the stewards decide the claim will stand, the horse will be turned over to the claimant upon leaving the receiving barn.
- If, in the opinion of the official or racing (track) veterinarian, a claimed horse is incapable of being sent to the Receiving Barn, the racing (track) veterinarian will obtain blood samples (official and split samples) whenever humanely possible and determine the extent of the horses injuries. If the horse is incapable of being sent to the Receiving Barn because the horse is lame or unsound, the racing (track) veterinarian will so notify the stewards and the official veterinarian.
- Based on the findings of the racing (track) veterinarian the stewards will determine whether the claim will be voided. If the stewards determine the claim is to be voided, the horse will remain in the control of the original owner once the horse leaves the track. If the stewards decide the claim will stand, the horse will be turned over to the claimant upon leaving the track.
- A horse with a lameness with an AAEP Lameness Score greater than 3 shall be placed on the Veterinarians List as Lame.
- A horse with an AAEP Lameness Score of 3 or less and determined to be unfit to race shall be placed on the Veterinarian's List as Unsound.
- The official veterinarian shall place a claimed horse on the Veterinarian's List as Unsound or Lame upon the recommendation of the racing (track) veterinarian.

- Horses that are injured and showing lameness will be placed on the Veterinarians List as Unsound or Lamé. Horses that are injured such as a cut or grabbed quarter and not showing lameness may be designated as Injured on the Veterinarians List. Claims should not be voided unless the horse is going to be placed on the Veterinarian's List as lame or unsound. Accordingly, horses placed on the Veterinarian's List for other reasons such as bled, exhausted, injured or otherwise are not to be voided.

AAEP LAMENESS SCALE

Because each horse has unique performance characteristics, evaluating lameness can be challenging. Experienced riders may detect minor alterations in gait before they are apparent to an observer. Lameness may appear as a subtle shortening of the stride, or the condition may be so severe that the horse will not bear weight on the affected limb. With such extremes of lameness possible, a lameness grading system has been developed by the AAEP to aid both communication and record-keeping. The scale ranges from zero to five, with zero being no perceptible lameness, and five being most extreme. **The AAEP guidelines explain the grading system this way:**

0: Lameness not perceptible under any circumstances.

1: Lameness is difficult to observe and is not consistently apparent, regardless of circumstances (e.g. under saddle, circling, inclines, hard surface, etc.).

2: Lameness is difficult to observe at a walk or when trotting in a straight line but consistently apparent under certain circumstances (e.g. weight-carrying, circling, inclines, hard surface, etc.).

3: Lameness is consistently observable at a trot under all circumstances.

4: Lameness is obvious at a walk.

5: Lameness produces minimal weight bearing in motion and/or at rest or a complete inability to move.