FINAL STATEMENT OF REASONS

UPDATED INFORMATIVE DIGEST

There have been no changes in applicable laws or to the effect of the proposed regulation from the laws and effects described in the Notice of Proposed Action.

The California Horse Racing Board (Board) did not hold a public hearing for the adoption of Board Rule 1866.3, Intra-articular Injections Restricted, as the Board did not receive a written request for a public hearing from any interested person, or his or her authorized representative, at least 15 days prior to the close of the written comment period.

CLARIFICATIONS REGARDING ECONOMIC IMPACT ANALYSIS

The economic impact section of the Notice of Proposed Action states that the regulatory action will not benefit worker safety. Upon further consideration, the Board believes the regulation will indeed benefit worker safety. Since the proposed action could help prevent injury to a horse during racing or training, it will reduce the risk of injury to the jockey as well.

Additionally, the economic impact analysis states, without explanation, that the proposed action will not impact jobs or businesses. As mentioned in the cost impact section of the Notice of Proposed Action, the regulation will effectively require the owner of a horse administered a corticosteroid intra-articular joint injection into a high-motion joint to order two sets of X-rays within a given year, one of which would have been recommended by the owner's veterinarian regardless of any imaging requirement, thereby resulting in a cost of $500 to the owner. As such, there will be no impact to jockeys, trainers, or veterinarians and no impact to businesses within the state.

LOCAL MANDATE DETERMINATION

The amendment of Board Rule 1866.3 does not impose any mandates on local agencies or school districts.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE ORIGINAL NOTICE PERIOD OF FEBRUARY 2, 2024, THROUGH MARCH 18, 2024

No comments were received.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED AT THE REGULATORY HEARING

No public hearing was held for the proposed regulatory action, as the Board did not receive a written request for a public hearing from any interested person, or his or her authorized representative, at least 15 days prior to the close of the written comment period.

The amendment of Board Rule 1866.3 has no significant, adverse economic impact on small business.

The amendment of Board Rule 1866.3 has no significant, adverse economic impact on business.

ALTERNATIVE DETERMINATION

The Board has determined that no reasonable alternative would be more effective in carrying out the purpose for which the regulation was proposed, would be as effective and less burdensome to affected private persons than the proposed regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The amendment of Board Rule 1866.3 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.

No public hearing was held for the proposed regulatory action, as the Board did not receive a written request for a public hearing from any interested person, or his or her authorized representative, at least 15 days prior to the close of the written comment period. The Board invited interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period. No alternatives were proposed.

No alternatives that would lessen any adverse economic impact on small business were proposed.