

## AGENCY RULE REPORT

### DATE NOTICE FOR PROPOSED RULES PUBLISHED IN OKLAHOMA REGISTER:

January 2, 2018

### NAME AND ADDRESS OF AGENCY:

Oklahoma Horse Racing Commission  
2800 North Lincoln Boulevard  
P.O. Box 528804  
Oklahoma City, OK 73152-8804

### TITLE AND NUMBER OF RULES:

Title 325. Oklahoma Horse Racing Commission  
Chapter 45. Prohibited Practices and Equine Testing [AMENDED]  
325:45-1-1. Purpose [AMENDED]  
325:45-1-2. Definitions [AMENDED]  
325:45-1-3. Intent of medication rules [REVOKED]  
325:45-1-4. Substance violations [AMENDED]  
325:45-1-5. Collection and testing of biological samples [AMENDED]  
325:45-1-6. Use of permitted substances [AMENDED]  
325:45-1-6.1. Listed thresholds for Thoroughbreds [NEW]  
325:45-1-6.2. Listed thresholds for Quarter Horses, Paints, and Appaloosas [NEW]  
325:45-1-7. Authority to test sample [REVOKED]  
325:45-1-9. Furosemide use [AMENDED]  
325:45-1-9.1. Phenylbutazone use [NEW]  
325:45-1-11. Trainer responsibility [AMENDED]  
325:45-1-12. Bleeder lists [AMENDED]  
325:45-1-13. Racing after bleeding [AMENDED]  
325:45-1-14. Racing soundness examination [AMENDED]  
325:45-1-15. Equine drug testing laboratory reports [REVOKED]  
325:45-1-16. Pre-race testing [AMENDED]  
325:45-1-17. Requirements for official testing [AMENDED]  
325:45-1-18. Collection of post-race samples [AMENDED]  
325:45-1-19. Official testing [AMENDED]  
325:45-1-20. Split tests [AMENDED]  
325:45-1-21. Facilitating the collection of post-race urine samples [AMENDED]  
325:45-1-22. Phenylbutazone use [REVOKED]  
325:45-1-23. Trainer responsibility – Phenylbutazone [REVOKED]  
325:45-1-24. Substance classification and penalties [AMENDED]  
325:45-1-26. Primary laboratory's request for additional test time [AMENDED]  
325:45-1-27. Prohibited practices and certain penalties [AMENDED]  
325:45-1-29. Environmental contaminants and substances of human use [AMENDED]

### STATUTORY AUTHORITY FOR RULES:

3A O.S. § 200 et seq. and Oklahoma Horse Racing Commission

**BRIEF SUMMARY OF THE CONTENT OF THE RULES:**

The proposed amendments extensively revise, update, and reorganize existing medication rules, including but not limited to, adding, amending, and deleting existing definitions and rules to clarify the rights and obligations of owners, trainers, and other licensees; define testing procedures; identify prohibited practices; and to add lists of permitted substances for specific breeds of horses.

**NEED FOR ADOPTED RULES:**

The proposed rule amendments are needed to revise, update, and reorganize existing medication rules, including but not limited to, adding, amending, and deleting existing definitions and rules to clarify the rights and obligations of owners, trainers, and other licensees; define testing procedures; identify prohibited practices; and to add lists of permitted substances for specific breeds of horses.

**DATE AND LOCATION OF MEETING WHERE RULES WERE ADOPTED:**

February 15, 2018  
Oklahoma Department of Agriculture, Food, and Forestry  
2800 North Lincoln Boulevard  
Oklahoma City, OK 73105

**SUMMARY OF COMMENTS AND EXPLANATIONS OF CHANGES OR LACK OF ANY CHANGE MADE IN ADOPTED RULES AS A RESULT OF COMMENTS RECEIVED:**

The Commission made considered changes to the proposed rule text in response to comments from several Oklahoma veterinarians.

**LIST OF PERSONS OR ORGANIZATIONS WHO APPEARED OR REGISTERED FOR OR AGAINST THE ADOPTED RULE AT PUBLIC HEARING:**

Dr. Dan Miller DVM, et al.

**RULE IMPACT STATEMENT:**

See Attachment I.

**RECORDED VOTE OF BOARD OF AGRICULTURE:**

Aye	Joe Lucas
Aye	Becky Goumaz
Aye	Keith Sanders
Absent	Stanton Harrell
Aye	Wendy Ingersoll
Aye	Phillip Kirk
Aye	Monty Marcum
Aye	Donnie Von Hemel
Aye	Douglas Wright