

**CHAPTER 40.**  
**VETERINARIAN PRACTICES**

3A O.S., § 204(A)

**325:40-1-1. Purpose**

The rules of this Chapter establish and describe the supervisory control authority and procedures for veterinarian practices regarding Commission-sanctioned horse racing, including equipment and medication labeling standards, reporting requirements, supervision and the prohibition and ramifications of the administration of drugs or medications unless specifically authorized by the Commission under the provisions of the Oklahoma Horse Racing Act, 3A O.S., § 200 et seq.

**325:40-1-2. Definitions**

In addition to the definitions provided in Section 200.1 of Title 3A, of the Oklahoma Statutes, the following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Act" means the Oklahoma Horse Racing Act [3A:200 et seq.]

"Certified Veterinary Technician" means a person who is certified as an Animal Technician or Veterinarian Technician by the Oklahoma Board of Veterinary Medical Examiners and licensed by the Commission as a Certified Veterinary Technician. A licensed Certified Veterinary Technician must perform all work on the racetrack enclosure under the direct supervision of a Veterinarian licensed in Oklahoma, except that a Certified Veterinary Technician shall not be permitted to administer medication to any entered horse.

"Commissioner" means a member of the Oklahoma Horse Racing Commission.

"Controlled substance" means any substance included in the five classification schedules of the Oklahoma Uniform Controlled Dangerous Substances Act.

"Day" means a 24-hour period ending at midnight.

"Drug (medication)" means a substance foreign to the normal physiology of the horse.

"Foreign substances" means all substances except those which exist naturally in the untreated horse at normal physiological concentration and shall include but not be limited to all narcotics, stimulants, or depressants.

"Horse" means:

- (A) any equine including and designated as mare, filly, stallion, colt, ridgeling, or gelding registered for racing;
- (B) an entire equine male five years of age and older.

"Medication" means a substance other than food

intended to affect the structure or any function of the body of a human or a horse.

"Occupation license" means a state requirement for any person acting in any capacity pursuant to the provisions of the Act.

"Official Veterinarian" means a person qualified and licensed by the Commission as Official Veterinarian.

"Organization license" means a state requirement for any person desiring to conduct a race meeting in Oklahoma within the minimum standards as required by the Act and the rules of the Commission.

"Owner" means any person who holds in whole or in part, any right, title or interest in a horse or an organization licensee or any person who is a lessee of a horse and has been duly issued a currently-valid Owner license as a person responsible for such horse.

"Race" means a contest between horses.

"Race day" means a day during a race meeting when pari-mutuel wagering occurs on live races conducted at that racetrack.

"Racing Veterinarian" means a person qualified and licensed by the Commission as Racing Veterinarian.

"Restricted area" means any area within the enclosure where access is limited to licensees whose occupation requires access. Those areas which are restricted shall include but not be limited to the barn area, paddock, test barn, Stewards' tower, racecourse, mutuel line and money rooms, or any other area designated restricted by the organization licensee or the Commission, or both. Signs giving notice of restricted access shall be prominently displayed at all entry points.

"Rules" means the rules adopted by the Commission to implement the provisions of the Act.

"Steward" means a duly appointed Racing Official with powers and duties specified by statutes or rules.

"Trainer" means a person qualified and licensed by the Commission as a Trainer.

"Veterinarian" means a person licensed to practice veterinary medicine by the State of Oklahoma and licensed as a Veterinarian by the Commission.

"Week" means a calendar week.

"Year" means a calendar year.

75 O.S., §§ 302, 305, and 307; 3A O.S. § 200.1(B)  
[Source: Amended at 16 Ok Reg 2883, eff 7-12-99]

**325:40-1-3. Veterinary Practices - Treatment Restricted**

No person other than an Oklahoma-licensed Veterinarian or Certified Veterinary Technician under the direct supervision of a licensed Veterinarian who has obtained a license from the Commission shall administer to any horse within the enclosure any veterinary treatment or any medicine, medication, or other substance recognized as a medication, except for recognized feed supplements or oral tonics or substances approved by the Official Veterinarian.

"Administer" shall be defined as anything permitted under the Oklahoma Veterinary Practice Act [59 O.S., § 698.1 et seq.] or allowed for a Certified Veterinary Technician under the Oklahoma Veterinary Practice Act, except a Certified Veterinary Technician shall not be permitted to administer medications to any entered horse.

[Source: Amended at 10 Ok Reg 2769, eff 6-25-93]

**325:40-1-4. Veterinarians Under Supervision of Official Veterinarian**

Veterinarians licensed by the Commission and practicing at an authorized meeting are under the supervision of the Official Veterinarian and the Stewards. The Official Veterinarian shall recommend to the Stewards or the Commission the discipline to be imposed upon a Veterinarian who violates the rules of this Chapter, and sit with the Stewards in any hearing before the Stewards concerning such discipline or violation.

**325:40-1-5. Veterinarian Reports**

- (a) Every Veterinarian licensed by the Commission:
- (1) Who treats any horse within the enclosure for any contagious or communicable disease shall immediately report the treatment to the Official Veterinarian in writing on a form approved by the Commission.
  - (2) Who treats an entered horse as herein defined shall submit daily reports on a form approved by the Commission to the Official Veterinarian showing all medication and other substances which the Veterinarian prescribed, administered or dispensed. For purposes of the provisions of this Chapter, an entered horse is defined as any horse which appears on the overnight sheet and has either drawn a position for a race or is an also-eligible from the time that the horse is entered in the race condition or forty-eight (48) hours prior to the first post time on the race day in which the horse will race, whichever is less, and until midnight following the race for which the horse is scheduled to race. The form shall include but not be limited to the name and location of the horse treated, the name of the Trainer, the time of treatment or examination, the probable diagnosis, and the medication administered.
  - (3) Who treats any horse or performs other professional services within the enclosure of an organization licensee during a race meeting shall be responsible for maintaining treatment records or a log book on all horses for which they prescribe, administer, or dispense medication or perform other professional services. The treatment records or log book

information shall include but not be limited to the date and time of treatment/service; name of racetrack; Veterinarian's printed name and signature; registered name of horse; Trainer's name; barn number or location of horse; race date and race number, if any; medication and dosage; and reason for treatment/services. These records shall be available to the Commission and the Stewards upon request.

- (b) Any such record and any report of treatment as described in (a) of this Section is confidential; and its content shall not be disclosed except in a proceeding before the Stewards or the Commission, or in the exercise of the Commission's jurisdiction.

**325:40-1-6. Bandages**

Only bandages approved by the Official Veterinarian shall be used on a horse during a race, and all other leg coverings shall be removed prior to entering the saddling paddock.

**325:40-1-7. Posterior Digital Neurectomy**

No person shall bring onto the enclosure of a racing organization, or enter or cause to be entered in any race, any horse which has been "nerved" or has had any nerve removed from the leg of such horse, except as provided by this Section. Notwithstanding the prohibition against "nerving," a horse upon which a Posterior Digital Neurectomy has been performed, commonly known as "heel nerving," is not ineligible to race, provided that the Official Veterinarian is satisfied that the loss of sensation to such horse due to the Posterior Digital Neurectomy will not endanger the safety of any horse or rider, that the prior approval of the Official Veterinarian has been obtained, that the Racing Secretary is notified of such "nerving" at the time such horse is entered in a race and its Registration Certificate marked to indicate such "nerving." The Racing Secretary shall maintain a list of "nerved" horses which are on the grounds, and shall make such list available for inspection by other licensees participating in the meeting.

**325:40-1-8. Postmortem Examination**

Every horse which dies or suffers a breakdown on the racetrack in training or in competition within any enclosure licensed by the Commission and is destroyed, shall undergo, at a time and place acceptable to the Official Veterinarian, a postmortem examination to the extent reasonably necessary to determine the injury or sickness which resulted in euthanasia or natural death. Any other horse which expires within any enclosure may be required by the Official Veterinarian to undergo a postmortem examination.

- (1) The postmortem examination required under this Section will be conducted by a licensed Veterinarian employed by the Owner or his/her Trainer in consultation with the Official

- Veterinarian who may be present at such postmortem examination.
- (2) Test samples may be obtained from the carcass upon which the postmortem examination is conducted and shall be sent to a laboratory approved by the Commission for testing for foreign substances or their metabolites and natural substances at abnormal levels. When practical, samples shall be procured prior to euthanasia.
  - (3) The Owner of the deceased horse shall make payment of any charges due the Veterinarian employed by him/her to conduct the postmortem examination.
  - (4) A record of such postmortem shall be filed with the Official Veterinarian by the Owner's Veterinarian within seventy-two (72) hours of the death and shall be submitted on a form supplied by the Commission.
  - (5) Each Owner and Trainer accepts the responsibility for the postmortem examination provided herein as a requisite for maintaining the occupation license issued by the Commission.

**325:40-1-9. Labeling of Medication**

No Veterinarian, Vendor, or other person shall dispense, sell or furnish any feed supplement, tonic, veterinary preparation, medication, or any substance containing a prohibited drug to any person within the enclosure unless there is a label specifying the name of the dispensing Veterinarian, the name of the horse or the purpose for which the said preparation or medication is dispensed, and the name of the person to which dispensed, or is otherwise labeled as required by Law. Any substance containing a prohibited drug shall be labeled, "Caution. Contains Prohibited Drug."

**325:40-1-10. Sterile Equipment Required**

Veterinarians shall use one-time disposable hypodermic needles. The Official Veterinarian and the organization shall provide a secure place for the disposal of needles, syringes, injectable medications and their containers; and Veterinarians within the enclosure shall not dispose of such materials within the enclosure other than in such secure place.