



# WHRC Commission Meeting

- Location:** Emerald Downs, 2300 Ron Crockett Drive, Auburn WA 98001, 5<sup>th</sup> Floor Tribal Council Room and Zoom Video Conference
- Date:** March 30, 2023
- Call to Order:** 9:30 am (PT)
- Adjourned:** 9:57 am (PT)
- Attendees:** Robert Lopez – Chair, Douglas Moore – Commissioner, Dr. Claude Ragle – Commissioner, Amanda Benton – Executive Secretary

## Agenda items

### 1. HISA/HIWU Voluntary Agreement

WHRC Executive Secretary Amanda Benton presented the three possible options of how to enter in an agreement with HISA/HIWU.

Option 1: The WHRC declines to sign an agreement with HISA/HIWU and turns over regulation of all safety rules and equine testing programs to HISA/HIWU. Safety rules include but are not limited to: use of the crop, pre-race inspections, post-race claimed horse inspections, necropsy program. HIWU only covers the Anti-doping Medication Control Program which includes post-race testing, out-of-competition testing and horse, that are on the vet's list.

Option 2: The WHRC signs a voluntary agreement with HISA/HIWU to enforce the safety rules and conduct equine testing. This option holds the highest risk to the agency. HISA is an independent, self-regulatory non-profit organization and not a governmental agency. HIWU is a division of Drug Free Sport LLC, a for-profit organization.

Option 3: The WHRC signs a voluntary agreement with HISA to enforce the safety rules similar to last year's agreement and turns the equine testing over to HIWU. This option presents some risk to

the agency but if the agreement included the same or similar language to last year's agreement the AAG would like to be able to defend a challenge against the agency.

Commissioner Moore is leaning towards continuing doing what the WHRC has been doing in the past year, during the 2022 racing season. He also understands the risk. Not signing the safety rules presents the biggest issue: Emerald Downs would be billed if the WHRC would not sign the agreement regarding the safety rules. If the WHRC is not signing an agreement with HISA, we would give away the authority over operating the test barn, as well as the necropsy program and the drug testing of the jockeys. Moreover, HIWU would only be responsible for collecting urine and blood samples from the equine athletes. The WHRC would still need to have a veterinarian for pre-race inspections and vet checks after horses get claimed. Commissioner Dr. Ragle emphasized the fact that the WHRC has experience in operating/enforcing the safety rules from last year's racing season. The greatest exposure to risk for the WHRC is signing the HIWU agreement. On the other hand, without signing an agreement with HIWU, the WHRC would have no control or knowledge of testing procedures and/or test results. Furthermore, the WHRC would hire employees without being the controlling entity over said employees. Commissioner Moore agreed with Commissioner Dr. Ragle that any supervision over the test barn would be out of the WHRC's hands. Emerald Downs President Phil Ziegler stated the situation on the part of Emerald Downs Racing LLC. If the WHRC declines to sign, everything falls back on the racetracks. Mr. Ziegler is concerned about finding staff to take over the new tasks. He would prefer the WHRC to sign the agreement with HIWU. Mr. Ziegler also contacted Ben Mosier (HISA) to ask if a vet tech would be sufficient to take samples and run the test barn. Mr. Mosier did not see any issues with that. Commissioner Moore also mentioned that when HIWU would take over the test barn, there would not be a vet in the test barn to do vet checks on previously claimed horses. The track vet – that would still operate under the rules and regulations of the WHRC – might be able to do vet checks in the paddock, in front of an audience. Commissioner Moore is open to ideas to go around that. Commissioner Lopez said that the WHRC would be at risk without signing an agreement and proposed the idea of signing the HISA safety rules, but not going into an agreement with HIWU. Commissioner Moore made a motion to not enter an agreement with HIWU and allow Executive Secretary Amanda Benton to enter negotiations with HISA on the verbiage of enforcing the safety rules. Commissioner Dr. Ragle seconded the motion. The motion passed. Executive Secretary Benton will update the commissioners on the status of the negotiations and possibly present draft language for an agreement with HISA at the next meeting of the WHRC in April.

The next meeting of the Washington Horse Racing Commission will be held on April 14, 2023, at 9:30 am at Emerald Downs and via Zoom.



**Amanda Benton, Executive Secretary**

