

Virginia Horsemen's Benevolent & Protective Association

Working For Virginia Horsemen

The Virginia HBPA's principal job is to represent the interests of its approximate 1800 Virginia licensed owner and trainer members in dealing with Colonial Downs and the Virginia Racing Commission. With Colonial that means negotiating a horsemen's contract covering items like race days, purses, revenue sharing from off track and on-line wagering, backstretch conditions, and benevolence programs. Negotiations for a 2010 contract are ongoing.

Apart from that the Virginia HBPA serves the interests of its horsemen by working closely with the national HBPA, its parent organization headquartered in Lexington, Kentucky, on matters of industry-wide concern. Two current cooperative efforts involve model regulatory rules and membership communication.

Model Regulatory Rules

The Association of Racing Commissioners International ("RCI") is a national group whose membership includes representatives from state racing commissions throughout the country. One of RCI's functions is to write model racing rules that it recommends for adoption by state commissions like the Virginia Racing Commission. The VRC often incorporates those rules in its code of regulations.

The national HBPA participates in the RCI model rule making process through its Rules Committee, which provides RCI with the horsemen's view on proposed model rules. (The Virginia HBPA has a representative on the national HBPA Committee.)

Various other groups including the Racing Medication and Testing Consortium ("RMTC"), the American Association of Equine Practitioners ("AAEP"), and the Welfare and Safety of the Racehorse Summit ("the Racehorse Summit") also take part in the model rule making process.

Below are a few of the proposed model rules that may be addressed at the RCI meeting this month in Tucson, Arizona

Jockey Fees. At the urging of the Jockeys' Guild the RCI is considering a proposal that would nearly double the jockey fee for horses finishing out of the money. The current RCI model rule, for example, sets a \$55 fee for a jockey finishing out of the money in race with a \$15,000 purse. The Jockey Guild asked the RCI to establish a new range from \$80 to \$100 depending on the classification of the track, with a top tier track being at \$100.

The national HBPA views jockey fees as a local issue best left to negotiation between local horsemen's groups and representatives of the jockeys at a particular track. Jockey mount fees should not be set on a national "one size fits all" basis because the economics of racing vary widely from track to track.

The HBPA did propose a guideline grid for such local negotiations, which in the above example of a \$15,000 purse would set a range from \$70 to \$90 for an off the board finish.

Anabolic Steroids. Two years ago the RCI adopted a model rule setting post race urine thresholds for four therapeutic anabolic steroids (boldenone/"Equipoise", nandrolone/"Durabolin", stanozolol/"Winstral", and testosterone). They were keyed to 30 to 45 day withdrawal periods. The HBPA supported that rule. It was ultimately adopted by the Virginia Racing Commission with the Virginia HBPA's support.

Research over the past two years now makes possible setting thresholds in post race plasma concentrations that allows for more accurate testing. The RMTC has proposed that RCI adopt levels keyed to withdrawal periods of 40 to 160 days, depending on the particular medication. The national HBPA, and its medical advisors, proposed thresholds keyed to 60 day withdrawal times.

Testing. Under a new RCI model rule a horse testing "positive" for any Class I through Class IV substance is prohibited from future racing until cleared by a "negative" test sample done at the owner's expense after an on track work. Because Class III and IV substances include common lawful therapeutic medications like bute and banamine, which account for most positives and nearly 80% of the time result from simple barn or management error, the HBPA is petitioning the RCI to amend its model rule to avoid the delay and considerable expense of unnecessary testing.

The national HBPA proposes retesting at owner expense only where an earlier post race positive resulted from a non-therapeutic medication classified as such by the AAEP. There would be no retesting for simple anti-inflammatory overages.

Claiming. The RCI is considering a model rule that would change long standing claiming procedures. Title to a horse currently vests in a successful claimant when the field leaves the starting gate. Once a horse starts the claimant becomes the owner regardless of the condition of the horse after the race.

The proposed rule vests title when a horse leaves the paddock. And a claim becomes voidable at the claimant's option if the horse fails to return to the unsaddling area because of injury or distress.

The model rule amendment ostensibly seeks to deter trainers from running unsound horses in low level claiming races to get rid of them. Though the HBPA of course opposes racing unsound horses it opposes the model rule change because the "cure" creates more problems than it solves.

For example, under the proposed amendment if a horse gets loose in the post parade and is scratched the owner loses the horse without having had the opportunity to run for the purse. Is that fair? Or if a horse does not return to the unsaddling area after the race, thus voiding the claim, who determines if the cause is "injury or distress" and what are the criteria for making that determination?

It seems clear that more discussion by industry stakeholders is necessary before a claiming procedure change of this magnitude becomes an RCI model rule.

Membership Communication

The national HBPA communicates with its affiliates like the Virginia HBPA and their members through its quarterly magazine, *The Horsemen's Journal*. The HBPA also has a website (www.nationalhbpa.com) that is updated daily with news from other websites. Likewise the national HBPA maintains a daily bulletin board of news that it emails to its affiliates.

On the local level the Virginia HBPA has its own information website (www.vhbpa.org) modeled on the national website.

But the foregoing means are no longer sufficient because the world of communication is rapidly changing. Traditional print magazines are giving way to on-line PDF versions or disappearing altogether. Even ubiquitous websites that are little more than electronic brochures are yielding to two-way interactive social media (Facebook, Twitter, blogs, on-line forums, etc.) as a major form of real time effective communication.

Recognizing that phenomenon the national HBPA plans over the next two years to reduce if not eliminate printing *The Horsemen's Journal* (37,000 copies per issue) in favor of posting an on-line electronic version. As an adjunct the national HBPA is establishing its own Facebook page as well as an interactive HBPA blog. Both will foster an up to date exchange of information between the organization and its members.

The Virginia HBPA is also venturing onto the information superhighway. It recently joined the blog of its sister organization, the Virginia Thoroughbred Association, to share Virginia racing news and developments with its horsemen members on an interactive “you ask, we respond” basis (www.vtablog.org).

Beyond that creation of an email address data base is essential to make dissemination of information timelier by reaching a member in the first instance rather than waiting for that member to seek out an organization blog or website. For that reason and to give members an incentive to provide their email addresses the Virginia HBPA is conducting a Christmas raffle. This month post cards are being sent to approximately 1800 members with a request they return the cards with their email addresses added to them. Those cards will become raffle tickets. If at least 400 are received by the Virginia HBPA a drawing will take place on December 25th with the winner receiving a one thousand dollar cash prize.

Any Virginia HBPA member not receiving a post card can take part in the raffle by mailing his or her name and email address before December 25th to: Virginia HBPA, 38 Garrett Street, Warrenton, VA 20186 or race@vhbpa.org.