

HISA Rule 2261: Transfer of Claimed Horse Records

(a) Entry of a Covered Horse subject to being claimed in a Claiming Race implies consent of the Responsible Person to the transfer of the following records to the new Responsible Person of the claimed Covered Horse:

- (i) all medical records required to be maintained pursuant to Rules 2252 and 2253; and
- (ii) all veterinary records required to be submitted pursuant to Rule 2251.

(b) If a Covered Horse is successfully claimed by a new Responsible Person, the previous Responsible Person must transfer the Responsible Person's medical records required to be maintained pursuant to Rules 2252 and 2253 to the new Responsible Person within 3 days of transfer of the claimed Covered Horse to the new Responsible Person.

HISA Rule 2262: Voided Claim

(a) Except as provided in paragraphs (e) and (g) title to a Covered Horse which is claimed shall be vested in the successful claimant from the time the field has been dispatched from the starting gate and the Covered Horse becomes a starter.

(b) All claimed Covered Horses shall go to the Test Barn, or, if approved by the Authority, the secured area used for claimed horse inspections, for observation by the Regulatory Veterinarian.

(c) Test Barn or approved secured area Observation:

(1) Upon entry into the Test Barn or approved secured area, claimed Covered Horses shall be periodically observed for a minimum of 30 minutes during the "cooling out" process, unless excused by the Regulatory Veterinarian.

(2) A Covered Horse shall be observed by the Regulatory Veterinarian at the completion of any required sample collection, or immediately before the horse is released from the Test Barn or approved secured area, to determine whether the horse will be placed on the Veterinarians' List for Epistaxis, or as unsound, or lame.

(3) The minimum criteria for observation by the Regulatory Veterinarian are:

(i) to assess the claimed Covered Horse for signs of Epistaxis or any other concerning clinical abnormalities;

(ii) to jog the claimed Covered Horse in hand in a straight line of not fewer than 5 strides moving toward and away from the Regulatory Veterinarian.

(d) If a claimed Covered Horse is placed on the Veterinarians' List for Epistaxis, or as unsound, or lame, it is the responsibility of the Regulatory Veterinarian to notify the Stewards immediately so that the Stewards may order the claim voided.

(e) The claim shall be voided, and ownership of the Covered Horse retained by the original Owner, if:

(1) the Covered Horse dies or is euthanized on the racing track;

(2) the Covered Horse is euthanized within 1 hour of the start of the Race;

(3) the Covered Horse is vanned off of the racing track and placed on the Veterinarians'™ List for Epistaxis, or as unsound, or lame; or

(4) the Regulatory Veterinarian determines within 1 hour of entry into the Test Barn or approved secured area that the Covered Horse will be placed on the Veterinarian's List for Epistaxis, or as unsound, or lame before the Covered Horse is released to the successful claimant.

(f) The claim shall not be voided if, prior to the race in which the Covered Horse is claimed, the claimant elects to claim the Covered Horse by checking the appropriate box on the claim slip regardless of whether the Regulatory Veterinarian determines the Covered Horse will be placed on the Veterinarian's List for Epistaxis or as, unsound, or lame.

(g) Notwithstanding Rule 3060(a) and 3070(c), and subject to Rule 2262(h), if a post-race sample collected from a claimed Covered Horse results in an Adverse Analytical Finding, the claimant shall be promptly notified by the Agency or the Authority and the claimant shall have the option to void the claim. The claimant shall have 48 hours from notification to void the claim by submitting in writing to the Stewards the claimant's decision to void the claim.

If the claimant chooses to void the claim:

(1) the claimant shall be entitled to the return from the prior Owner of all sums paid for the claimed Covered Horse;

(2) the claimant shall be entitled, upon submission of expense records, to recoup reasonable expenses from the prior Owner related to the care, custody and control of the Covered Horse incurred after the date of the claim; and

(3) the claimed Covered Horse shall be returned to the prior Owner.

(h) A claimant shall not have the option to void a Claim pursuant to Rule 2262(g) if any of the following events have occurred since the Claim:

- (1) The claimed Covered Horse has made a subsequent start;
- (2) The claimant failed to exercise due care in maintaining and boarding the claimed Covered Horse;
- (3) The claimant made material alterations to the claimed Covered Horse; or.
- (4) The claimed Covered Horse dies or is euthanized.

HISA Rule 2263: Waiver Claim Option

(a) At time of entry into a Claiming Race an Owner or Responsible Person may opt to declare a Covered Horse ineligible to be claimed, provided:

- (1) the Covered Horse has not started in 120 days;
- (2) the Covered Horse's last start must have been for a claiming price; and
- (3) the Covered Horse is entered in a claiming race with a claiming price equal to or greater than the claiming price for which it last started.

(b) A Responsible Person may opt to declare a Covered Horse ineligible to be claimed for a second consecutive race, provided:

- (1) the waiver must have been asserted in the first race back to be eligible for the second waiver;
- (2) if the Covered Horse wins the first race back, it is ineligible for the second waiver;
- (3) if the Covered Horse changes majority ownership subsequent to the first race, it is ineligible for the second waiver; and
- (4) the provisions in 2263 (a)(3) still apply.

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