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**Description and Information about New and Amended  
Administrative Regulations Filed on March 5, 2021**

**The KHRC filed the following new or amended administrative regulations on March 5, 2021:**

**1. 810 KAR 8:010: Medication, testing procedures, prohibited practices**

- A. Summary of Administrative Regulation: This proposed amendment will create a new section of 810 KAR 8:010 to address clenbuterol. This section will specify that clenbuterol is prohibited, unless certain conditions are met. Those conditions include, but are not limited to: (1) the prescription for clenbuterol is made for a specific horse based upon a specific diagnosis; (2) the veterinarian must provide a copy of the horse's treatment sheet to the Equine Medical Director or his/her designee within 24 hours of any clenbuterol administration; and (3) a horse administered clenbuterol must be placed on the veterinarian's list for a minimum of 21 days after its last administration. The horse must meet all conditions for removal from the list, including blood and urine sampling after the 21-day period. Both samples must have no detectible clenbuterol.
- B. A copy of the proposed amendments to this administrative regulation may be found on the KHRC's website at <https://khrc.ky.gov/> under the tab labelled "Regulations."
- C. Information about public hearing and public comment period for this regulation: A public hearing on this amended administrative regulation shall be held on May 24, 2021, at 9:00 a.m. via Zoom at the Kentucky Horse Racing Commission Office located at 4063 Iron Works Parkway, Building B, Lexington, KY 40511. Individuals interested in attending this virtual hearing shall notify this agency in writing by May 17, 2021, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed amended administrative regulation. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed amended administrative regulation until May 31, 2021. Send written notification of intent to attend the public hearing or written comments on the proposed amended administrative regulation to: Jennifer Wolsing, General Counsel, 4063 Iron Works Parkway, Building B, Lexington, KY 40511; Phone: 859-246-2040; Fax: 859-246-2039; [jennifer.wolsing@ky.gov](mailto:jennifer.wolsing@ky.gov).

## **2. 810 KAR 8:020: Medication classifications**

- A. Summary of Administrative Regulation: This amendment will change the regulation in two (2) ways. First, the medication classification schedule is removed from incorporated materials and placed directly into the body of the regulation. Second, the withdrawal guidelines and threshold levels are removed from incorporated materials and placed directly into the body of 810 KAR 8:025.
- B. A copy of the proposed amendments to this administrative regulation may be found on the KHRC's website at <https://khrc.ky.gov/> under the tab labelled "Regulations."
- C. Information about public hearing and public comment period for this regulation: A public hearing on this amended administrative regulation shall be held on May 24, 2021, at 9:00 a.m. via Zoom at the Kentucky Horse Racing Commission Office located at 4063 Iron Works Parkway, Building B, Lexington, KY 40511. Individuals interested in attending this virtual hearing shall notify this agency in writing by May 17, 2021, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed amended administrative regulation. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed amended administrative regulation until May 31, 2021. Send written notification of intent to attend the public hearing or written comments on the proposed amended administrative regulation to: Jennifer Wolsing, General Counsel, 4063 Iron Works Parkway, Building B, Lexington, KY 40511; Phone: 859-246-2040; Fax: 859-246-2039; [jennifer.wolsing@ky.gov](mailto:jennifer.wolsing@ky.gov).

## **3. 810 KAR 8:025: Withdrawal guidelines and threshold levels**

- A. Summary of Administrative Regulation: This is a new regulation. This regulation codifies a document that was previously incorporated by reference in 810 KAR 8:020. Specifically, this regulation now codifies the commission's withdrawal guidelines and mandatory threshold levels in a regulation, rather than in an incorporated document. This document is the same as the previous version of the withdrawal guidelines and threshold levels, but for one change. Specifically, it states that the acceptable threshold level for clenbuterol is the level of detection. This new regulation was necessary to ensure that medications are used appropriately on and before racing dates, and in a manner that is consistent with the integrity of racing.
- B. A copy of the proposed amendments to this administrative regulation may be found on the KHRC's website at <https://khrc.ky.gov/> under the tab labelled "Regulations."
- C. Information about public hearing and public comment period for this regulation: A public hearing on this amended administrative regulation shall be held on May 24, 2021, at 9:00 a.m. via Zoom at the Kentucky Horse Racing Commission Office located at 4063 Iron Works Parkway, Building B, Lexington, KY 40511. Individuals interested in attending this virtual hearing shall notify this agency in writing by May 17, 2021, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed amended administrative regulation. If you do not wish to be heard

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#### **4. 810 KAR 8:030: Disciplinary measures and penalties**

- A. Summary of Administrative Regulation: This amendment originally referred only to 810 KAR 8:020 when it referred to medication classifications, withdrawal guidelines, and threshold levels. Now, the amendment also refers to the newly-created regulation 810 KAR 8:025, which will outline medication withdrawal guidelines and threshold levels. This regulation is also amended to refer to correct section numbers in 810 KAR 8:010.
- B. A copy of the proposed amendments to this administrative regulation may be found on the KHRC's website at <https://khrc.ky.gov/> under the tab labelled "Regulations."
- C. Information about public hearing and public comment period for this regulation: A public hearing on this amended administrative regulation shall be held on May 24, 2021, at 9:00 a.m. via Zoom at the Kentucky Horse Racing Commission Office located at 4063 Iron Works Parkway, Building B, Lexington, KY 40511. Individuals interested in attending this virtual hearing shall notify this agency in writing by May 17, 2021, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed amended administrative regulation. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed amended administrative regulation until May 31, 2021. Send written notification of intent to attend the public hearing or written comments on the proposed amended administrative regulation to: Jennifer Wolsing, General Counsel, 4063 Iron Works Parkway, Building B, Lexington, KY 40511; Phone: 859-246-2040; Fax: 859-246-2039; [jennifer.wolsing@ky.gov](mailto:jennifer.wolsing@ky.gov).

#### **5. 810 KAR 8:040: Out-of-competition testing**

- A. Summary of Administrative Regulation: The proposed amendment will revise this regulation to state that clenbuterol may be administered if the treatment is compliant with 810 KAR 8:010.
- B. A copy of the proposed amendments to this administrative regulation may be found on the KHRC's website at <https://khrc.ky.gov/> under the tab labelled "Regulations."
- C. Information about public hearing and public comment period for this regulation: A public hearing on this amended administrative regulation shall be held on May 24, 2021, at 9:00 a.m. via Zoom at the Kentucky Horse Racing Commission Office located at 4063 Iron Works Parkway, Building B, Lexington, KY 40511. Individuals interested in attending this virtual hearing shall notify this agency in writing by May 17, 2021, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity

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