

To: House Interim Committee on Gambling Regulation  
From: Jill E. Parker, VMD, DACVS; President of the Oregon Veterinary Medical Association  
Date: February 6, 2024  
RE: Oppose sections 19 and 20 of HB 4051. Request amendment to remove these sections

Chair Lively, Vice Chairs, and members of the committee:

My name is Dr. Jill Parker, President of the Oregon Veterinary Medical Association (OVMA). I am also a Board-Certified Veterinary Surgeon with almost 40 years of experience diagnosing and treating horses.

The OVMA does not support sections 19 and 20 of House Bill 4051, but we do support the -3 amendments to HB4051, which removes these two sections from the introduced legislation. Sections 19 and 20 would require veterinarians to report to the Oregon Racing Commission any horse that shows signs of “abuse, injury, or inadequate health” that are reasonably believed to be involved in horse racing.

The OVMA is also very willing to meet with stakeholders during the interim to discuss the issue and the best course of action.

In addition to the OVMA not being consulted on this bill, the three principle reasons for not supporting sections 19 and 20 are:

1. The bill is too broad and terms are not defined, particularly the terms “injuries” and “inadequate health.”
  - a. Inadequate health, for example, could be any condition a horse develops regardless of the prognosis or potential influence in racing. The same is true for injuries. Horses are included in current Oregon Statutes pertaining to animal abuse and neglect, and veterinarians are currently required to report aggravated animal abuse in the first degree, although those reports would go to law enforcement not the ORC.
  - b. The time frame in proximity to a race to define what the phrase “involved in horse racing means,” and whether this applies to horses at a track or training facilities or to horses anywhere at any time in a horse’s racing career is not included.
2. It is unlikely that collecting these reports will have a positive effect on racehorse health, welfare, or safety.
  - a. Based on the broad nature of the wording of the bill, many reports may be submitted for “injuries,” maybe minor ones like lacerations requiring sutures, or for conditions causing “inadequate health,” even though they may be temporary and treatable and have not influence on their racing performance or safety.
  - b. The bill does not include any action to be taken by the ORC upon receipt of a report or the time frame of any action.
  - c. A funding source for management and actual data analysis to try to correlate findings in the reports with subsequent injuries is not included in the bill.

- d. It is unlikely that any action be taken on a report quickly enough to prevent an injury from occurring in a reported horse.
  - e. Is the ORC the appropriate organization to receive and evaluate what are essentially medical records?
3. This bill is likely to have a negative effect on the Veterinarian-Client-Patient Relationship VCPR.
- a. Veterinarians are required to establish a VCPR, and this should be cooperative and not contentious, between veterinarian and client to determine and provide the appropriate timely care for the horse.
  - b. Patient records should be kept confidential between veterinarian and client according to Principles of Veterinary Medical Ethics.
  - c. Requiring veterinarians to report their clients/patients rather than working as a team to resolve the health problems may have the unintended consequence of causing harm, by discouraging trainers (or owners) from seeking veterinary care for fear of being reported.
  - d. Such reports may give the false impression of neglect or inappropriate care by trainers if reports are required for minor or treatable injuries or conditions, and this could unjustifiably damage trainers' reputations.
  - e. Trainers/owners might not seek veterinary care to avoid being reported. This could allow problems to worsen or horses could train or race with ongoing conditions that might increase their risk of breakdown injuries.

It is certainly essential that horses used for racing, like all domestic animals, are property cared for and don't experience abuse or neglect or have health problems or injuries left untreated. It is important to make effective changes that help prevent the catastrophic injuries that can occur with racing.

In 2020, Congress passed the Horseracing Integrity and Safety Act, which created the Horseracing Integrity and Safety Authority, referred to as HISA. From the HISA website: "HISA was created to implement, for the first time, a national, uniform set of integrity and safety rules that are applied consistently to every Thoroughbred racing participant and racetrack facility." <https://hisaus.org/about-us#our-mission>. These regulations are very comprehensive, and I would hope that Oregon, probably through the Oregon Racing Commission, would consider applying those regulations, which are based on expert input and decades of data on horse racing, instead of a less extensive, but very broad and undefined veterinary reporting requirement.

Thank you for this opportunity to provide testimony and for amending the bill (-3 amendments) removing sections 19 and 20 pertaining to racehorses.