

# FAQ:

## Out-of-Competition Testing



Under HISA's Anti-Doping and Medication Control (ADMC) Program, Out-of-Competition (OOC) Testing will be administered nationwide by the Horseracing Integrity & Welfare Unit (HIWU). HIWU will implement and enforce intelligence-based testing strategies to promote the integrity of Thoroughbred racing and the welfare of Covered Horses (CH).

### What substances and methods are regulated through OOC Testing?

Only the presence of Banned Substances/Methods will trigger a positive lab result and an ADMC Program violation (i.e., Anti-Doping Rule Violation).

### What samples will be collected for OOC Testing?

Blood, urine, and/or hair may be collected.

### How will I find out if a CH under my care has been selected for OOC Testing?

1. When HIWU selects a CH for OOC Testing, authorized Sample Collection Personnel will attempt to locate the CH based upon the registered location(s) ("Whereabouts") submitted to HISA or other available data regarding horse populations at racetracks and training facilities.
2. Sample Collection Personnel will notify the respective Responsible Person (RP) or Nominated Person (NP) in person unless other methods are necessary. For example, if the CH is located at a private facility, this would justify the use of other notification methods, which may include phone calls, emails, and/or text messages.
3. If the RP/NP is not at the registered location, but the CH is present, Sample Collection Personnel will identify an alternate NP – someone who is at least 18 years old and on site with the CH, is employed by the RP or owner, has custody or control of the CH, or is otherwise able to grant access to the CH. HIWU will inform the RP that the CH was selected and located for testing, and the test was conducted with the identified alternate NP present to witness the sample collection.

### What if I refuse to allow sample collection of a CH for OOC Testing?

Refusal, non-compliant behavior, or evasive actions may be considered an Anti-Doping Rule Violation and result in the corresponding penalties for the RP, including a fine and/or period of Ineligibility.

### Do I have to allow HIWU or Sample Collection Personnel onto my private property?

No. If the CH is located on private property, HIWU will call the designated NP or the RP for permission to enter the property. Alternatively, at the request of the NP or RP, it can be arranged, with HIWU's approval, for the CH to be moved to another location for testing, e.g., a racetrack. The CH must be produced at the agreed-upon location within six hours. If this condition is not met, penalties may result.



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### What happens if HIWU or Sample Collection Personnel are unable to locate a CH or conduct the OOC Test on the CH?

If the CH is not located, including due to a Whereabouts Failure, the RP or NP must produce the CH for sample collection as soon as possible but no later than six (6) hours from notification, unless HIWU determines there are extenuating circumstances or decides to conclude the attempt.

When applicable, potential consequences will depend upon the circumstances surrounding the specific situation and can range from a Whereabouts Failure to an Anti-Doping Rule Violation if, for example, there is evidence of an attempt to evade the sample collection process. RPs are not subject to penalties for their first Whereabouts Failure violation but will be fined by HISA for subsequent violations.

### Do owners have to be notified of OOC sample collection conducted on their CH?

No, unless the owner is also the designated RP. As per the ADMC regulations, only the CH's designated RP will be provided with an emailed copy of the completed sample collection documentation for their records.

#### Terms to Know

**Anti-Doping Rule Violation:** can include, but is not limited to, the possession, use or attempted use, trafficking, or presence of a Banned Substance/Method in relation to a CH. Other Anti-Doping Rule Violations include evading or refusing sample collection from a CH or conspiring with others to commit Anti-Doping Rule Violations.

**Banned Substance/Method:** substances prohibited from being possessed, administered, or present in a CH at any time.

**Nominated Person:** the person designated by a Responsible Person to witness and consent to sample collection from a CH, often a groom or assistant trainer. Sample Collection Personnel may, when necessary, identify an alternate NP who is present and able to provide access to the CH for purposes of sample collection.

**Responsible Person:** a CH's trainer; if the horse doesn't have a trainer, the RP is the CH's owner; included as a Covered Person.

**Whereabouts Failure:** failure by a Responsible Person to do any of the following:

- Provide notice to HISA that their CH has been moved from a racetrack or training facility to a private facility (or from a private facility to a racetrack or training facility) before such move occurs.
- Provide whereabouts information about their CH upon request by HIWU.
- Provide sufficient information about the CH's whereabouts to enable HIWU to test the CH at any time.
- Update HISA on changes in whereabouts information.

\*Please be advised that the responsibilities and requirements set forth above are contained in the Anti-Doping and Medication Control (ADMC) Program regulations submitted by the Horseracing Integrity and Safety Authority to the Federal Trade Commission (FTC). These regulations were approved by the FTC on March 27, 2023. The information enclosed herein is not exhaustive, and more information can be found by consulting the approved regulations, which were posted to the Federal Register on January 26, 2023.

