

RCI MODEL RULES COMMITTEE
PETITION FOR NEW RULE OR CHANGE TO EXISTING RULE

Please submit this petition to the attention of the Chairperson of the Model Rules Committee at least 45 days in advance of the next scheduled committee meeting. The petition should be sent via email to:

The Association of Racing Commissioners International
rules@arci.com

All form submissions must be accompanied with an electronic version of this petition (PDF or Microsoft Word), and proposed language must be in Microsoft Word format with redlined language changes. Please see accompanying “ARCI Model Rule Titles, Numbering, and Redlining Conventions”

Your Contact Information:

Name:	Jeff Johnston
Organization:	Jockeys' Guild
Address:	448 Lewis Hargett Cir., Ste 210 Lexington, KY 40503
Phone(s):	859-547-8084
Fax:	859-495-0443
Email Address:	jeff@jockeysguild.com

A. Brief Description of the Issue

The Guild has been working for the past several years to bring awareness to the risks and dangers associated with concussions, not only to the jockeys, but the industry in general. In order to fully and adequately assess possible concussion, individuals who are at high risk of suffering a concussion, which in our industry is the riders, are strongly advised to undergo a concussion baseline testing. Baseline testing is essentially a collection of testing conducted prior to the start of a season, or prior to the meet or at the time of licensing in the case of racing, to measure certain parameters of the individual's brain, such as his or her mental processing speed, memory capacity, reaction time, and the brain's executive functioning for decision making. All of the areas are absolutely key for jockeys when riding a 1,200 lb. horse going, 38 mph. Typically, the test is performed very quickly.

In light of the concerns of the regulators and race associations of how to enforce the requirement for baseline testing, after the adoption of ARCI 007-020 (10), we are proposing an adoption to the ARCI Model Rule ARCI-008-030 Jockeys. The Guild believes that the requirement for the baseline testing to be included with the annual physical, along with the acknowledgment of the protocols as required under ARCI 007-020 (10)(a) is the most efficient means.

B. Discussion of the Issue and Problem

During the July Model Rules meeting, ARCI adopted the Model Rule ARCI 007-020 Facilities and Equipment, which requires that the race association have “the services of at least one physician, a nurse practitioner or paramedic, with at least one person being adequately trained in diagnosing and assessing concussions” during racing. It also included ARCI 007-020 (10) with regards the requirement of an association having a concussion protocol in place, in which the jockeys were to acknowledge they were aware of such protocols. However, there have been concerns with implementation of the initial baseline testing that is necessary for comparison in the event of a possible head injury or concussion. Specifically, there were concerns how to mandate that the jockeys have a baseline test prior to riding.

C. Possible Solutions and Impact

In addition to the protocols and standards to be in place at each track, we are proposing that ARCI 008-030 Jockeys, A. (2), be amended to require that in addition to the annual physical examination, a baseline test be performed at that time. This would also apply to Apprentice Jockeys as well. The Model Rule currently requires that physical examinations be performed annually in order to be licensed as a jockey. The baseline testing would simply be an additional test within that physical.

Baseline measures should include a brain injury and concussion history, symptom evaluation, cognitive assessment, and balance evaluation. This baseline information will be used post-injury at appropriate time intervals to help assess progress in the resolution of impairment related to the concussion. In the event of a possible concussion or head injury the physician, a nurse practitioner or paramedic who is adequately trained in diagnosing and assessing concussions, as required in ARCI 007-020 will determine participation clearance and/or the need for additional consultation or testing. A new baseline concussion assessment will be administered annually for each jockey and as necessary for jockeys with a documented concussion. This proposal is similar to what is required of almost all professional and collegiate athletes, as well as many youth sports.

If a jockey has suffered a concussion, he or she will retake the SCAT 5, or current testing method being used. The scores will be then compared with the original baseline test as to determine which brain functions, if any, have been affected. The jockey will only be allowed to return to ride once he or she has been cleared by a medical expert trained in concussion management.

D. Industry Support

Many, including regulators, race track operators, and jockeys, believe that baseline testing, along with concussion protocols, is absolutely necessary. However, there have been concerns with regard to the implementation and how to enforce the protocols.

E. Attach the model rule language you are proposing. Please show new language with underlined text. If you are proposing that current model rule language be eliminated, please strikeout the language to be deleted.

ARCI-008-030 Jockeys

A. Eligibility

(1) No person under 18 years of age shall be licensed by the Commission as a jockey, except persons who have been licensed by this Commission prior to the date of adoption of this rule.

(2) A jockey shall pass a physical examination given within the previous twelve months by a licensed physician affirming fitness to participate as a jockey, as well as a baseline concussion test, which shall be stored in a centralized database as designated by the Commission. The stewards may require that any jockey be reexamined and may refuse to allow any jockey to ride pending completion of such examination.

(3) An applicant shall show competence by prior licensing and the demonstration of riding ability, which may include participation in up to five races with the prior approval of the stewards with the consideration of the recommendations from the starter, the head outrider, and the designated representatives of the jockeys and the horsemen at the track. The demonstration of riding ability is defined at a minimum of:

- (a) Breaking with a horse in company from the starting gate;
- (b) Working a horse in company around the turn and down the stretch;
- (c) Switching the riding crop from one hand to the other while maintaining control of the horse in a stretch drive;
- (d) Causing a horse to switch leads coming out of the turn.

(4) A jockey shall not be an owner or trainer of any horse competing at the race meeting where the jockey is riding.

(5) A person whose weight exceeds 130 pounds at the time of application shall not be licensed as a jockey.

F. Do any racing jurisdictions currently have a version of this rule in effect? If yes, please attach copies of those rules.

There is pilot study currently being done at the four racetracks in Kentucky, in which an athletic trainer is performing a baseline test on the jockeys. At Keeneland, it is mandatory for each participating jockey. Additionally, the Maryland Jockey Club, through their staff medical personnel, has implemented the requirement for a baseline test which is in line with their concussion protocols. Currently, there are proposals which have been submitted to California and New York for review and consideration which include the requirement of the baseline testing annually at the time of licensing. This is similar to what is done in other racing countries such Great Britain, in which the British Horse Racing Authority makes it mandatory for jockeys to complete a baseline test every two years. They have established a network of regional testing centers for the jockeys to obtain their baseline test.

G. Review the RCI Model Rules and identify any other Model Rules this change would affect and submit proposed amendments to those rules to comply with changes that would be made by this proposal.

FILING THIS REQUEST WITH RCI DOES NOT GUARANTEE YOUR PROPOSAL WILL BE CONSIDERED BY THE MODEL RULES COMMITTEE. IF YOU HAVE OPPOSITION FROM AN INTERESTED PARTY, YOU ARE STRONGLY ENCOURAGED TO TRY TO REACH CONSENSUS PRIOR TO FILING THIS FORM.