
This rule details post-mortem examinations. The purpose of these amendments is to clarify the responsibilities for post-mortem examinations of horses.

15.2.6.12 PHYSICAL INSPECTION OF HORSES:

A. Assessment of racing condition:

- (1) Every horse entered to participate in an official race may be subjected to a veterinary inspection prior to starting in a race for which it is entered.
- (2) The **identification and inspection of the horse** shall be conducted by the official veterinarian or the racing veterinarian.
- (3) The agency or the association employing the examining veterinarian(s) should provide a staffing level of not less than two veterinarians.
- (4) The trainer of each horse or a representative of the trainer must present the horse for inspection as required by the examining veterinarian. Horses presented for examination must have bandages removed and the legs must be clean. Prior to examination horses may not be placed in ice nor shall any device or substance be applied that impedes veterinary clinical assessment.
- (5) The assessment of a horse's racing condition shall be based on the recommendations of the American association of equine practitioners and shall include: proper identification of each horse inspected; observation of each horse in motion; manual palpation and passive flexion of both forelimbs; clinical observation in the paddock and saddling area, during the parade to post and at the starting gate; any other inspection deemed necessary by the official veterinarian and the racing veterinarian or the stewards.
- (6) Every horse shall be observed by the racing veterinarian during and after the race.
- (7) The official veterinarian or the racing veterinarian shall maintain a permanent continuing health and racing soundness record of each horse inspected.
- (8) The official veterinarian or the racing veterinarian are authorized access to any and all horses housed on association grounds regardless of entry status.
- (9) If, prior to starting, a horse is determined to be unfit for competition, or if the veterinarian is unable to make a determination of racing soundness, the veterinarian will recommend to the stewards the horse be scratched.
- (10) Horses scratched upon the recommendation of the official veterinarian or the racing veterinarian, are to be placed on the veterinarian's list.
- (11) All pre-race examination reports on each horse selected for a pre-race examination will be submitted to the commission on a monthly basis. In addition, these reports will be made available to the commission upon request within a 48-hour period.

B. Veterinarian's list:

- (1) The official veterinarian or racing veterinarian shall maintain the veterinarian list of all horses which are determined to be unfit to compete in a race due to illness, physical distress, medical compromise, heat exhaustion, unsoundness, injury, infirmity, voluntary administration of a medication invoking a mandatory stand down time, administration of shock-wave therapy or any other assessment or determination by the official veterinarian or racing veterinarian that the horse is unfit to race.
- (2) Horses listed pursuant to this rule and on HISA's veterinarians' list are ineligible to enter to race in any jurisdiction until released by the official veterinarian or racing veterinarian except when there is an administrative issue in releasing the horse from a veterinarian's list of another racing jurisdiction.
- (3) A horse placed on the veterinarian's list due to illness, injury or infirmity unrelated to the racing soundness of the horse may be released from the list when a minimum of seven calendar days has passed from the time the horse was placed on the list.
- (4) A horse placed on the veterinarian's list for unsoundness or lameness shall be released from the list only after the following has been met:
 - (a) A minimum of seven calendar days has elapsed;
 - (b) the horse demonstrates to the satisfaction of the official veterinarian or racing veterinarian that the horse is serviceably sound and in fit physical condition to exert its best effort in a race;

(c) the horse completes a published work after the seven calendar days has elapsed of four furlongs at 0:52 seconds or better for thoroughbreds; or 220 yards at 13.3 seconds or better for quarter horses while being observed the official veterinarian or racing veterinarian, and;

(d) the horse submits to a post work official sample collection for laboratory confirmation for compliance with 15.2.6.9 NMAC at the expense of the current owner. Samples shall be subjected to the same testing as conducted for post race official samples. The presence of a prohibited substance in the post work sample shall result in the horse remaining on the veterinarian's list.

(5) A horse placed on the veterinarian's list for voluntary administration of a medication invoking a mandatory stand down time shall be released from the list subject to the provisions and restrictions set forth in Paragraph (1) of C of 15.2.6.9 NMAC.

(6) A horse placed on the veterinarian's list for administration of shock-wave therapy shall be released from the list subject to the provisions and restrictions set forth in Subsection C. of 15.2.6.8.

C. Postmortem examination:

(1) ~~The~~A commission ~~designee or official veterinarian~~ may require a postmortem examination of any horse that dies or is euthanized on association grounds.

(2) ~~The~~A commission ~~designee or official veterinarian~~ may require a postmortem examination of any horse that dies or is euthanized at recognized training facilities within this jurisdiction.

(3) If a postmortem examination is to be conducted, the commission shall take possession of the horse upon death for a postmortem examination. All shoes and equipment on the horse's legs shall be left on the horse.

(4) If a postmortem examination is to be conducted, the commission ~~or its representative~~~~designee or official veterinarian~~ shall collect blood, urine, bodily fluids, or other biologic specimens immediately, if possible before euthanization. The commission may submit blood, urine, bodily fluid, or other biologic specimens collected during a postmortem examination for testing analysis. The presence of a prohibited substance in a specimen collected during the postmortem examination may constitute a violation.

(5) ~~Requests~~~~Any requests by an owner's or trainer's veterinarian~~ for each postmortem examination shall be filed with the official veterinarian by the owner's or trainer's veterinarian within one hour of the death and shall be submitted on a necropsy submission form entitled New Mexico racing commission necropsy submission form, hereby incorporated by reference and which is available at all official veterinarian offices and all stable gates. The trainer or their designee is responsible to supply all information to complete this form.

(6) All licensees shall be required to comply with postmortem examination requirements as a condition of licensure. In proceeding with a postmortem examination the commission or its designee shall coordinate with the owner or the owner's authorized agent to determine and address any insurance requirements.

(7) Postmortem examinations shall be conducted according to the most recent edition of the American association of equine practitioners' guidelines for the necropsy of racehorses.

(8) Upon completion of the postmortem examination the diagnostic laboratory shall file a written report with the racing commission's agency director and official veterinarian.

(9) The owner or the owner's authorized agent ~~or trainer~~ will be responsible for all costs of a postmortem examination, i.e., testing fees, transportation of the horse ~~and disposal [etc., when the results of a postmortem examination constitute a violation of the New Mexico racing commission rules]of the horse.~~

[15.2.6.12 NMAC - Rp, 15 NMAC 2.6.12, 4/13/2001; A, 9/1/2010; A, 12/1/2010; A, 11/1/2011; A, 2/15/2012; A, 7/31/2012; A, 12/19/2019; A, 4/9/2024; A, 8/13/2024]

History of 15.2.6 NMAC:

Pre-NMAC History: Material in this part was derived from that previously filed with the commission of public records - state records center and archives as:

NMSRC 67-1, Amendment No. 1., Rule Revisions Adopted by the New Mexico State Racing Commission April 21, 1967 Rules 352 & 380, filed 4/26/1967;

NMSRC 69-1, New Mexico Laws and Rules and Regulations Governing Horse Racing, filed 6/9/1969;

NMSRC 81-1, Rules Governing Horse Racing in New Mexico, filed 12/4/1981;

History of Repealed Material:

15 NMAC 2.6, Horse Racing - Veterinary Practices, Equine Health, Medication, and Trainer Responsibility, filed 9/29/1995 repealed in its entirety; renumbered, reformatted and replaced by 15.2.6 NMAC, Horse Racing - Veterinary Practices, Equine Health, Medication, and Trainer Responsibility, to conform to the new NMAC requirements effective 4/13/2001.

Other History:

NMSRC 81-1, Rules Governing Horse Racing in New Mexico, filed 12/4/1981 - that applicable portion renumbered, reformatted and amended to 15 NMAC 2.6, Horse Racing - Veterinary Practices, Equine Health, Medication, and Trainer Responsibility, filed 9/29/1995.