

Meeting Summary for ApHC Board Meeting

Dec 16, 2024 03:52 PM Pacific Time (US and Canada) ID: 834 0831 5116

Meeting called to order at 7:04 pm by President Lori Wunderlich

Roll Call

Francesco Auiremma – not present

Directors present – Ray Burchett, Dennis Dean, Deb Dyer, Ken Johnson, Jordan Kelly, Dave Parlier, Alison Phillips, Sean Schembri, Kama Urton, Daylene Williams, Lori Wunderlich.

Quick recap

The team discussed various ongoing projects, including the Appaloosa Journal's future, cost reduction strategies, and potential rule changes for the horse show. They also reviewed updates to the horse medication rules, the completion of Rule 40, and potential changes to the horse show rules. Lastly, they discussed the restructuring of the Appaloosa Youth Association (AYA) Board of Directors, the process for selecting judges for the national and world shows, and the potential impact of the Horse Protection Act on regional shows.

Next steps

Rules Committee to finalize the limited division proposal, including addressing individual classes vs. divisions and eligibility criteria.

Lori to contact legal counsel regarding motion to fill director vacancy.

Lori to send language for advertising the Territory 5 Board vacancy to IT.

IT to post the Territory 5 Board vacancy advertisement on the website.

Amber to post the Territory 5 Board vacancy advertisement on social media.

Lex to work with IT to add a ribbon on the bottom of the APHC website with links to sponsors.

Hannah and Rachel to work with Amber on creating a slideshow presentation for Anthony Mahloch's memorial at the Youth World Show.

Rules Committee to review and clarify the process for replacing Board members in the future.

Finance Committee to conduct a financial review of the Limited program at the National Show.

Sean to work on securing additional sponsorships for the Limited program.

Summary

General Updates

Lex provided updates on various projects, including the world show reconciliation, premium checks, and the release of incentive money for the 2023 world show. The team also discussed the future of the

Appaloosa Journal, with Ken suggesting a shift to digital and the possibility of finding a sponsor for the world show results. Alison and Lex discussed the need to cut costs and increase revenue, particularly in relation to show expenses and the journal. The team also discussed the potential for a significant cost reduction in trophy orders through direct ordering.

Rule Changes and Disciplinary Procedures

The meeting discussed several rule changes and updates. Jordan presented proposed changes to the rules regarding calculating points for the World's Best Appaloosa award, adding a ranch confirmation class under halter, and revising the disciplinary procedures with input from their legal counsel. There were discussions around whether the ranch confirmation class should be treated as a halter class consistently across different awards. The committee voted to approve the proposed rule changes related to points calculation and adding the ranch confirmation class, with plans to further discuss the classification of that class later. Jordan also presented an extensive rewrite of the disciplinary procedures rule with new language clarifying the process, timelines, roles and responsibilities. As some members wanted more time to review the lengthy rewrite, the committee agreed to vote on it over email after Jordan re-sends the proposed text.

Horse Medication Rules Updates and Concerns

Jordan discussed updates to the horse medication rules, focusing on permitted exceptions and conditionally permitted substances. The updates included reclassifying medications, introducing a safe harbor process for therapeutic use, and clarifying the use of NSAIDs. Jordan also mentioned the need for new levels for certain medications and the importance of protecting animal welfare. The team agreed to provide forms and envelopes for submitting medication reports and to create a procedure manual for the handover of these forms. Sean raised concerns about the confidentiality of the medication report, and Jordan clarified that the report is only required for the safe harbor medications. The team also discussed the need for an FAQ or video to explain the changes to the rules.

Rule 40 and 60 Approval Discussion

Jordan presented the completion of Rule 40 and sought approval from the board. Dennis questioned if this was the first vote on Row 40, and Jordan confirmed it was. The board requested more time to review the change to Rules 20 and 40, with the agreement that these would take place over an email vote so the changes could be included in the 2025 rulebook. The board approved changes to Rule 60, updating forbidden substances and striking out a rule about judging the national and world shows while serving on the board. The board then discussed the selection process for judges, with concerns raised about potential conflicts of interest. The board agreed to avoid conflicts of interest and to have integrity in the selection process. The conversation ended with no further discussion or questions.

Horse Show Rule Changes Discussed

The meeting involved discussions about potential changes to the horse show rules, specifically regarding the elimination of the 35 and over category and the introduction of a limited non-pro category at major shows. The board voted on these proposals, with the first vote passing to eliminate the 35 and over category and to consider adding the limited non-pro category. This would change the age of the Masters division to 45 and over. The board also discussed the potential impact of these changes on the horse show community, with concerns raised about the distribution of points and the physical abilities of older riders. The board agreed to further examine these issues and make a final decision in the future.

AYA Board Restructure and Responsibilities

The Appaloosa Youth Association (AYA) Board of Directors is being restructured for 2025. Hannah and Rachel, the AYA Youth Coordinators, presented an overview of the new board structure and responsibilities. The new AYA board will have 10-12 directors from different territories, with open positions in Territories 1 and 2. The directors will lead monthly meetings, plan bi-monthly events/fundraisers, run the Youth World Show activities, handle communications, and propose bylaw amendments. New officer positions like Reporter and Reporter Subcommittee are being added to assist with promotions. The coordinators aim to make the AYA more inclusive of non-show activities and develop the directors' leadership and professionalism. They have created resources like an officer guide, marketing brochure, and activity booklet to support the new board.

Board Gear Initiative and Honors

Rachel proposed an annual initiative to outfit the board with gear, costing \$1,345 for 10 members. The board discussed potential sponsorship or fundraising options, with a suggestion to sell AYA merchandise on the Tioga Territory website. The board agreed to support the initiative and consider adding a ribbon on the website to promote sponsors. The Youth Committee also discussed honoring a deceased AYA member by introducing a new award or free stall at the Youth World Show. The board agreed to support this initiative and suggested involving Amber for the slideshow presentation.

Revising Judge Selection and Limited Divisions

The board discussed revising the process for selecting judges for the national and world shows. A new procedure was proposed where exhibitors would rank judges who have indicated availability, rather than ranking the full judge list. The board approved continuing this process with a few modifications, including allowing judges to be used every 2 years and making the procedure transparent to members. The limited division rules were also reviewed, with the goal of preventing non-amateur exhibitors from dominating the limited classes. Several changes were proposed, such as determining eligibility by division rather than individual class. However, more work is needed by the rules, show, and finance committees to finalize the limited division guidelines, particularly around financial viability and preventing abuse by professional trainers. The limited division will continue as a pilot program for the 2025 world show while these details are resolved.

Horse Protection Act and Building Sale

In the meeting, Lori and the board discussed the Horse Protection Act and its potential impact on regional shows. They also discussed the sale of their building, with a focus on the letter of intent and the potential changes to it. Ken expressed his concern about the long-term financial stability of the club and urged the board to consider selling the building. The board also discussed the need to develop a plan for the facility and their future.

Director Position Filling and Seminars

The board discussed the process for filling a vacant director position in Territory 5. They considered advertising the vacancy and accepting resumes from interested candidates. The board decided to advertise the vacancy and accept resumes by January 3rd, with the board making the final decision, provided this motion was reviewed with legal counsel. The board also discussed the upcoming quarter horse, paint, seminar and clarified that attendance at this seminar would count towards attendance requirements.

Summary of Motions – see Appendix A:

[Motion 12.16.24-1](#) to allow ApHC BOD members to judge the World and National Shows.

Motion Made by Sean Schembri

Seconded by Ray Burchett

Roll Call Vote:

Ray Burchett - yes
Deb Dyer - no vote
Dennis Dean - yes
Alison Phillips - no
Jordan Kelly - no
Sean Schembri - yes
Ken Johnson - no
Dave Parlier - yes
Daylene - yes
Kama Urton – no

Motion passes

Ray Burchett moved to rule 70 Motion 12.16.24-1

Sean Schembri second

Roll Call Vote

Ray Burchett - yes
Dennis Dean - yes

Alison Phillips - no
Jordan Kelly - no
Sean Schembri - yes
Ken Johnson - No
Dave Parlier - yes
Daylene Williams - yes
Kama Urton - no

Rule 70 Passed – will go into effect immediately

[Motion 12.16.2024-2](#) to change the World's Best Appaloosa categories to include Ranch Conformation as a halter class

Sean Schembri moved

Ray Burchett second

No opposition – motion passed

Motion to apply Rule 70 to Motion 12.16.2024-2

Ray Burchett moved

Dave Parlier Second

No opposition – will go into effect immediately

[Motion 12.16.2024-3](#)

Update Rule 60 on General Penalties and Sanctions

Alison Phillips moved to accept changes outlined in Appendix A

Daylene Williams Second

No opposition – motion passed

Motion to apply Rule 70 to Motion 12.16.2024-3

Alison Phillips Moved

Dave Parlier Second

No opposition – will go into effect immediately

[Motion 12.16.2024-4](#)

Eliminate 35&O program starting in 2026 and update Masters category to 45&O. Explore adding Non-Pro limited program to major shows

Dave Parlier Moved

Ray Burchett Second

Roll Call Vote

Ray Burchett - yes

Dennis Dean - yes

Deb Dyer - yes

Alison Phillips - yes

Jordan Kelly - yes

Ken Johnson - no

Daylene Williams - yes

Kama Urton - yes

Dave Parlier - yes

Sean Schembri - N

Motion passed – requires 2nd vote to go into effect

Motion 12.16.24-5 made to commit to Oklahoma City for 2025 Nationals

Dave Parlier moved

Ray Burchett second

No opposition – does not require a second vote

Motion 12.16.24-6 made to add AYA Youth Swag proposal to budget for ApHC to fund

Alison Phillips moved

Deb Dyer Second

No opposition – does not require second vote

[Motion 12.16.24-7](#) on Judges selection proposal

Ray Burchett moved

Sean Schembri second

No opposition – does not require second vote

Limited Division -

[Motion 12.16.24-8](#) on Limited program categories

Sean Schembri moved to continue for worlds and nationals in 2025

Daylene Williams seconded

No opposition – does not require a second vote

Motion 12.16.2024-9

Motion to pursue Letter Of Intent regarding sale of building

Ken Johnson moved

Jordan Kelly second

No opposition

Motion 12.16.2024-10

Dennis Dean moved to allow President to select replacement for Steve Bennett on BOD

Ray Burchett Seconded

Roll Call Vote:

Ray Burchett - y

Dennis Dean - y

Jordan Kelly - n

Sean Schembri - y

Alison Phillips - n

Daylene Williams - N

Kama Urton - n

Ken Johnson - n

Dave Parlier - y

Lori Wunderlich - n

Motion Failed

Motion 12.16.2024-11

Ken moved to advertise the vacancy for Territory with resumes due January 3 and the 2024 board to make the decision (stipulation the legal counsel approve this)

Second by Daylene Williams

Dennis Dean opposed

Roll Call Vote:

Ray Burchett - n

Dennis Dean - n

Jordan Kelly - Y

Sean Schembri - N

Ken Johnson - Y

Daylene Williams - Y

Alison Phillips - Y

Kama Urton - Y

Dave Parlier N

Motion Passed

Meeting Adjourned

Appendix A: Proposed Rule Changes 12/16/2024

Motion 12.16.2024-1

BOARD OF DIRECTORS PROCEDURES

70. The Board of Directors shall adopt, amend and/or eliminate a rule and/or regulation only in the following manner.

Code of Ethics:

7. Judging an ApHC-Sponsored Show: While serving on the ApHC Board of Directors, a director shall not judge the National and/or World Show.

Proposal to strike this from the rule book and directors handbook.

Motion 12.16.2024-2

Here is a reevaluation of the point system for the World's Best Appaloosa. This puts this award more attainable for more horses as the past award was based on the National point scale. This was adequate back in the 70' and 80' as classes were one age division and of fairly equal size. With the onset of specialization in our industry, class sizes have diminished in some of the categories. The only classes where substantial points can be earned have been the all age heading and heeling, timed calf roping and steer daubing as these are all age divisions. The popularity of the ranch classes has given an advantage to this division also.

Changing the points to this new recommended point tabulation levels the playing field for all exhibitors. It would truly become a World's Best title and reward a very versatile horse. I feel you would encourage more people to enter more divisions if they thought they had a chance to compete for this title. The following categories encompass every open class that is held at the World show.

1000. WORLD'S BEST APPALOOSA While only the best Appaloosas are invited to participate in the World Show, an even smaller group of horses can compete for the title of World's Best Appaloosa.

A. In order to compete for this title, a horse must enter and compete in a minimum of three categories to be eligible. The horse's top two World's Best point earning placings in each of five categories will be used to calculate placing. In addition, the horse must earn World's Best points in a minimum of two categories.

Categories for tabulation of World's Best Appaloosa are listed below. ONLY the following classes will be used for tabulation of this award at the World Championship Appaloosa Show.

I. Halter All Age Divisions and Sex Divisions

Hunter in Hand, Performance Halter, and **Ranch Conformation**

II. Junior Western Pleasure, Senior Western Pleasure , Junior Hunter Hack , Senior Hunter Hack, Pleasure Driving , Junior Hunter Under Saddle, Senior Hunter Under Saddle , Junior Saddle Seat Pleasure, Senior Saddle Seat Pleasure

III. Junior Reining, Senior Reining , Junior Western Riding , Senior Western Riding , Junior Trail, Senior Trail , Open Jumping , Working Hunter, Junior Ranch Riding, Senior Ranch Riding , Junior Ranch Trail, Senior Ranch Trail, Junior Ranch Rail Pleasure. Senior Ranch Rail Pleasure, Junior Ranch Reining, and Senior Ranch Reining

IIIi. Camas Prairie Stump Race, Rope Race, Nez Perce Stake Race, Keyhole Race, Figure 8 Stake Race

V. Steer Daubing , Junior Cutting, Senior Cutting , Ranch Cutting, Heading & Heeling Junior Judged Tie-Down Roping, Senior Judged Tie-Down Roping, Junior Judged Heading, Senior Judged Heading, Junior Judged Heeling , Senior Judged Heeling, Timed Tie-Down Roping , Junior Working Cow, Horse Senior Working Cow Horse

VI. Tabulations: Award will be tabulated based on the top 10 placings in each class. Horses placing in the top 10 will be given a point for each horse placing below them plus one point not to exceed 10 points for 1st place.

Examples: In a class of 10 or more horses, 1st place receives 10 points, 2nd place receives 9 points, 3rd place receives 8 points, etc. In a class of 6, 1st place receives 6 points, 2nd place receives 5 points, etc.

VII. Ties will be broken in the following manner: 1) The horse placing in the greater number of categories in first through tenth place, then 2) The horse placing in the greater number of classes listed above in first through tenth place, then 3) The horse defeating the greater number of entries in the classes listed above.

Motion 12.16.2024-3

60. GENERAL PENALTIES AND SANCTIONS

A. EXTENT OF SANCTIONS

1. In regard to any violation of ApHC rules and regulations, the Disciplinary Committee shall have jurisdiction:

a. To invoke sanctions, including revocation, suspension or denial of membership privileges, revocation or suspension of ApHC judge's credentials or any other ApHC accreditation, denial of privilege to advertise in Appaloosa Journal, revocation or suspension of participation privileges in any capacity at all or any ApHC-approved or -sponsored shows or events for a definite or indefinite period, suspension of horses owned wholly or in part from participation at all or any ApHC-approved or -sponsored shows

for a definite or indefinite period, denial of privilege of access or presence on show grounds of an ApHC-approved or -sponsored show or event, denial of ApHC registration or certification privileges, assessment of fine not to exceed \$5,000 for each violation and assessment of costs incurred by ApHC to process and conduct any hearing or to participate in any legal proceeding, including, but not limited to, reasonable administrative and attorney fees, travel, telephone and hearing expenses. In the event a fine is assessed, an indefinite period of suspension may be imposed pending payment of any such fine and/or a definite period of suspension may be imposed after payment in full of any such fine.

b. To enhance suspension, penalty and/or fine of repeat offenders of ApHC rules and regulations and include owners or lessees who have placed the care or custody of their horses to such repeat offenders, to a maximum of indefinite suspension of membership privileges and/or fine to a maximum of \$5,000 for each violation.

c. To suspend any horse found to have **in its system** a Forbidden Substance, excessive Conditionally Approved Substance **as prohibited by these rules**, in its system or an artificial appliance or mechanical device or surgical procedure or artificial characteristic(s) or coat pattern in violation of these rules from participation in all or any ApHC-approved or sponsored events for a definite or indefinite period of time.

d. To cancel or amend an ApHC Certificate of Registration or ApHC Small Horse Program certificate and/or require an owner to deliver an ApHC Certificate of Registration or ApHC Small Horse Program certificate to the ApHC.

e. To escrow and/or cause to be forfeited all or any prizes, money, trophies, ribbons, points and/or awards won by a horse at an ApHC-approved or sponsored event.

f. To publish the name of the person, the violation, and the sanction in Appaloosa Journal and/or the ApHC website and/or by electronic communication to ApHC members.

g. Any person found guilty and suspended for inhumane treatment or drug violations under ApHC rules shall not be eligible for induction into the Hall of Fame and/or for Trainer of the Year.

h. To impose any other penalty, fine and/or sanction provided under ApHC rules and regulations.

B. MINIMUM MANDATORY RESTRICTIONS

The following mandatory minimum restrictions, in addition to any other terms and conditions that may be imposed, shall apply during the applicable period to any member who has been suspended or expelled or whose membership privileges have been revoked by the Executive Director or Disciplinary Committee:

1. That member shall be denied all ApHC membership privileges.

2. That member shall not participate and shall be ineligible to participate, except as a spectator, in any ApHC-approved or -sponsored events. Participate is defined as engagement in an equine activity by any person, whether amateur or professional, whether or not a fee is paid to participate in the equine activity. Equine activity includes, but is not limited to, exhibiting, training, inspecting, evaluating, teaching, coaching, riding, driving, grooming or otherwise preparing for the show, stall work (cleaning, feeding, watering), loading and unloading, reserving or paying for stalls or entries, marketing and sales of horses and/or equine products and equine services or interacting in any other way with a horse or

exhibitor other than as a spectator at an ApHC-approved or -sponsored event. Complaint of violations of this rule by a suspended or ineligible person will subject any such person to disciplinary proceedings and sanctions as provided under ApHC Rule 60.

3. With regard to registration or ApHC Small Horse Program certification matters:

a. That suspended person or his or her spouse shall not register or certify any horse with the ApHC, or transfer registered or certified horses into his or her name or that of a spouse.

b. Any horse sired by a stallion or out of a mare owned by any suspended person shall be ineligible for ApHC registration or ApHC Small Horse Program certification if the breeding date of the horse occurred after the effective suspension date.

c. The ApHC will not accept the signature of a suspended person or his or her spouse on either (i) registration or ApHC Small Horse Program certificate applications, (ii) breeder's certificates or (iii) stallion breeding reports evidencing breeding on or after the effective suspension date; except that any such signature will be honored on transfer reports and bills of sale for the purpose of allowing the suspended person or his or her spouse to transfer horses registered or certified in the suspended person's or his or her spouse's name.

d. The validity of written leases filed with the ApHC prior to the suspended persons effective suspension date covering horses owned by the suspended person or his or her spouse shall not be affected by any such suspension and the signature of the lessee under any such written lease shall be accepted during the term of such lease but not for purposes of any renewal thereof.

4. That member shall be ineligible to hold approved ApHC judge's credentials or any other ApHC accreditation.

5. That member shall be ineligible to hold office in the ApHC or in connection with any ApHC-approved or sponsored event.

6. The horse, if any, involved in the violation shall be suspended and the suspension of the horse shall not be affected by the transfer of ownership, if any, during the period of suspension.

C. WAIVER

To prevent hardship to an innocent person, the Executive Director, upon receiving convincing proof of such hardship or innocence and with the approval of the Disciplinary Committee that adjudicated the case in question, has the discretion to waive any suspension restriction regarding registration or ApHC Small Horse Program certification matters if all other ApHC registration or ApHC Small Horse Program certification or transfer requirements under these rules are met.

Motion 12.16.2024-4

35 and over age division

Proposal to Remove the 35 and Over Division

The 35 and Over division has been a valuable program within our industry for many years. However, due to declining numbers across the board, it's essential we reassess our class structure to consolidate entries and increase class sizes.

Motion: Remove the 35 and Over division from the Appaloosa Horse Club, effective beginning of the 2026 show season.

Rationale:

- Declining numbers in the 35 and Over division
- Need to consolidate entries to increase class sizes
- Alignment with the Appaloosa Horse Club's goal to adapt to changing industry trends

Implementation:

- The 35 and Over division will be discontinued starting from the 2026 show season
- Existing classes will be merged or restructured to accommodate the change

This proposal aims to revitalize our class structure, making it more sustainable and attractive to participants.

Motion 12.16.24-7

Selection Process for Judges – Nationals and Worlds

1. ***Initial Notification***: A notification is sent to all carded judges, asking if they're willing to judge the upcoming world or national event. The notification includes the dates and relevant information and requests a simple "yes" or "no" response.
2. ***Stakeholder Input***: Once the initial responses are received, the list of willing judges is sent to stakeholders (represented by names on stall cards from the previous year's events). These stakeholders are asked to rank the judges in order of preference.
3. ***Committee Review***: The ranked lists are then reviewed by a committee consisting of the president, the chairman of the judges committee, and both judges' representatives from the previous year's world and national shows. This committee compiles a list of 15 judges for each event (world and national shows).

4. *Judges Committee Evaluation*: The compiled list is then sent to the judges committee for evaluation. This step involves assessing each judge's qualifications and ensuring they meet the necessary criteria to judge at the world or national level.

5. *Substitution Process*: If the judges committee finds that a judge does not meet the required standards, the list is sent back to the initial committee to find a suitable replacement.

This process appears to be designed to ensure that the judges selected for these major events are highly qualified, experienced, and meet the approval of both the organization's leadership and stakeholders. It also allows for a systematic evaluation and substitution process to guarantee the integrity and quality of the judging panel.

Motion 12.16.24-8

Limited Program Divisions/Classes

The Limited Program is structured around specific individual skill sets required for each division or class. The program is divided into the following categories:

1. Halter division
2. Western Pleasure division
3. Hunter Under Saddle division
4. Western Riding division
5. Trail division
6. Hunter In Hand division
7. Jumping division
8. Cutting division
9. Working Cow Horse
10. Reining

The following will have limited eligibility per Individual classes

All Roping Classes

All Ranch Classes

All Game Classes

Exceptions

Please note that some classes will not have limited divisions within their class as we have already designated that in our system (ex: Mens Pleasure, Pleasure Driving etc)

For Reference – email vote, results captured in next meeting's minutes

20. DISCIPLINARY PROCEDURE

A. CAUSE

Whenever any member or non-member has violated any bylaw, rule or regulation, decision or policy of the ApHC, any such member may be disciplined, suspended, or expelled, any such member or non-member may be fined and denied any or all of the privileges and rights of the ApHC and any Certificate of Registration or ApHC Small Horse Program certificate may be cancelled or modified or registration or certificate application denied.

B. TEMPORARY SUSPENSION WITHOUT HEARING

The Executive Director may temporarily suspend, without hearing, any member and may temporarily deny the privileges and rights of the ApHC to any non-member for the periods set forth below for (1) failure to pay any obligation (other than dues) owing to the ApHC or to Appaloosa Journal, (2) giving a non-sufficient funds check in payment of entry fees, stall fees, office charges, stock charges, purchases or any other fee or charge connected with the exhibition of horses at any approved, sponsored or authorized ApHC function or race event or connected with the inspection of any horse, or (3) failure to complete and file a required and accurate annual stallion breeding report with the ApHC, (4) failure to file required DNA test results, (5) failure to list a stallion or mare registered with an approved breed association, or (6) failure to return to the ApHC upon written request any Certificate of Registration or ApHC Small Horse Program certificate for revocation, correction or other appropriate action, provided that written notice of the intention to suspend or withhold privileges and rights was mailed to the member or non member not less than 15 days prior to the effective date of such action. Any suspension made by the Executive Director pursuant to this rule shall continue until 1) payment of the full amount due, 2) filing of the requisite stallion breeding report, listing of the stallion or mare, or DNA test results or 3) return of any Certificate of Registration or ApHC Small Horse Program certificate. Any member suspended a second time pursuant to this rule shall be suspended for a minimum period of ninety (90) days and such suspension shall continue thereafter until compliance has occurred as required above. Any member suspended a third time pursuant to this rule shall be expelled from membership and shall not again be eligible to be a member of the ApHC.

B. TEMPORARY SUSPENSION WITHOUT HEARING FOR FAILURE TO COMPLY WITH OBLIGATIONS

- 1. The Executive Director may temporarily suspend, without hearing, any member and may temporarily deny the privileges and rights of the ApHC to any non-member for the periods set forth below for:**
 - a. failure to pay any obligation (other than dues) owing to the ApHC or to Appaloosa Journal**
 - b. giving a non-sufficient funds check in payment of entry fees, stall fees, office charges, stock charges, purchases or any other fee or charge connected with the exhibition of horses at any approved, sponsored or authorized ApHC function or race event or connected with the inspection of any horse**
 - c. failure to complete and file a required and accurate annual stallion breeding report with the ApHC**
 - d. failure to file required DNA test results**

- e. failure to list a stallion or mare registered with an approved breed association
 - f. failure to return to the ApHC upon written request any Certificate of Registration or ApHC Small Horse Program certificate for revocation, correction or other appropriate action, provided that written notice of the intention to suspend or withhold privileges and rights was mailed to the member or non-member not less than 15 days prior to the effective date of such action.
2. Any suspension made by the Executive Director pursuant to this rule shall continue until
 - a. payment of the full amount due
 - b. filing of the requisite stallion breeding report, listing of the stallion or mare, or DNA test results
 - c. return of any Certificate of Registration or ApHC Small Horse Program certificate.
3. Any member suspended a second time pursuant to this rule shall be suspended for a minimum period of ninety (90) days and such suspension shall continue thereafter until compliance has occurred as required above. Any member suspended a third time pursuant to this rule shall be expelled from membership and shall not again be eligible to be a member of the ApHC.

Rationale: The original paragraph style is difficult to read. Separated into the appropriate bullets and sub categories.

C. TEMPORARY SUSPENSION RELATED TO FORBIDDEN SUBSTANCES

1. At such time as the ApHC receives written notification of a positive test of **a substance in violation of rule 40. Drugs and Medications, without a medication report form and supporting documentation filed as required**, all Responsible Parties (as defined at Rule 50) shall immediately be placed on temporary suspension and denied all privileges of the Association, pending hearing on the matter. The ApHC shall mail written notification of this action to the responsible parties and shall also give notification via electronic means if possible.
2. **No Responsible Parties will be temporarily suspended, in the event of a positive test with an appropriately file medication report form, provided the substance in violation is declared on the medication report form with accompaniment of supporting documentation filed as required. However, the matter will be referred to the Disciplinary Committee for hearing as defined by the remainder of this rule. The provision is not applicable if any other substance, other than that of which is declared, results in a positive test.**
3. A temporary suspension under this section shall not result the publication of the name of the person, the name of the horse, or the violation in Appaloosa Journal and/or the ApHC web site and/or by any means of electronic communication to ApHC members without hearing and decision by the Disciplinary Committee or settlement agreement under this Rule 20.
4. Any Responsible Party may post a \$1,000 bond to the ApHC in collectible funds (**ie. certified check, money order, or credit card payment plus applicable fees**) at which time the temporary suspension restrictions imposed shall be lifted and that Responsible Party shall be restored their ApHC member privileges pending settlement or hearing. If it is determined that the alleged

violation did not occur, the \$1,000 bond will be returned. **No credit card processing fees will be returned.** If it is determined that such violation occurred, the bond amount will be forfeited to the ApHC. This bond forfeiture is in addition to any other penalties, including, but not limited to, additional monetary fines, that may be taken against any Responsible Party.

Rationale: Temporary suspension for drugs was included in rule 40 but is better served within our disciplinary process. Also added statement defining collectable funds. Re-lettered all sections below.

D. DISCIPLINARY COMMITTEE JURISDICTION

1. Except for those matters that are within the jurisdiction of the ApHC Executive Director, ApHC Executive Committee, ApHC Registrar, ApHC Appeal Committee, ApHC Protest Committee, ApHC Judge's Committee, ApHC Judges and ApHC Inspectors or that are expressly delegated by these rules to another person or committee, the Disciplinary Committee is the forum within the ApHC which shall hear or review evidence of alleged violations of ApHC bylaws, rules or regulations, decisions or policies by members or non-members and which shall have jurisdiction to invoke penalties and sanctions as provided under these rules.
2. The **Disciplinary Committee** Board of Directors shall appoint a Chair of the Disciplinary Committee, **for each hearing**, who shall oversee **each** hearings conducted by the Disciplinary Committee, unless otherwise delegated by said Chair.
3. **The Disciplinary Committee shall consist of seven (7) disinterested and impartial ApHC directors, five (5) of whom shall constitute a quorum in the hearing and determination of any matter, and which seven (7) members of the ApHC Disciplinary Committee shall appointed annually by the Board of Directors each January and those appointed Committee members shall serve a one-year term.**The Disciplinary Committee shall consist of seven (7) disinterested and impartial ApHC directors, five (5) of whom shall constitute a quorum in the hearing and determination of any matter, and which seven (7) members of the ApHC Disciplinary Committee shall be elected annually shall be elected annually at the commencement of the regular meeting of the Board of Directors next held following the regular election of directors at a time and date during January through April as determined by the Board of Directors and shall serve on the ApHC Disciplinary Committee until the election of the ApHC Disciplinary Committee members at the commencement of said regular meeting of the Board of Directors the next year, provided, however, any ApHC Disciplinary Committee member, who has participated in the hearing of any disciplinary matter shall have continuing authority to participate as an ApHC Disciplinary Committee member in the determination of any such matter despite election of a successor Disciplinary Committee. A quorum cannot be filled from those elected directors. The ApHC Executive Committee may appoint a sufficient number of directors to constitute a quorum for the hearing and determination of any matter, and further provided, any vacancy occurring on the ApHC Disciplinary Committee may be filled by the ApHC Executive Committee for the unexpired portion of said vacating member's term.
 - a. **Any ApHC Disciplinary Committee member, who has participated in the proceeding regarding any disciplinary matter shall have continuing authority to participate as an ApHC Disciplinary Committee member in the determination of any such matter despite election of a successor Disciplinary Committee.**

- b. If a quorum cannot be had for a Disciplinary Committee hearing, the ApHC Executive Committee may appoint a sufficient number of directors to constitute a quorum for the hearing and determination of any matter, and further provided, any vacancy occurring on the ApHC Disciplinary Committee may be filled by the ApHC Executive Committee for the unexpired portion of said vacating member's term or in such case of a real or perceived conflict of interest.**

Rationale: Assigning a chair to the disciplinary committee was a recommendation from our ApHC Legal counsel as was the statement of the legal counsel's responsibility during the process. This section was full of run on sentences and very difficult to read. This section was broken into appropriate points and subpoints to help clarify. The term was updated to reflect our current meeting and business practices

E. COMPLAINT

A complaint of possible or alleged violation(s) by a member or non-member of any bylaw, rule or regulation, decision or policy of the ApHC must be processed as follows:

1. A written complaint, which must be dated and signed, must be submitted by a member, ApHC Director or ApHC employee, to the ApHC Executive Director and/or the ApHC President, and state the specific bylaw, rule or regulation, decision or policy alleged to have been violated and the person(s) allegedly responsible for such violation(s). Any member filing a complaint, except ApHC directors or employees acting in that capacity, shall be required to pay a filing fee of \$250 to defer costs of hearing.
2. **Upon receipt of the complaint, the Executive Director, ApHC President, and ApHC Vice President, with advice from legal counsel, may begin an investigation into the complaint. In the case of a complaint involving a youth member, either as a complainant or person charged, an investigation must take place. The result of any investigation shall be provided to the Disciplinary Committee.**The Executive Director or President will refer the complaint to the Disciplinary Committee for review. The complaint must set forth prima facie evidence in support of any allegation. The individual(s) filing the complaint will be required to present testimony and/or evidence at a hearing if a hearing is deemed necessary by the Disciplinary Committee, or the complaint may be dismissed by the Disciplinary Committee.
3. Full disclosure of the complaint will be made to the person(s) charged with such violation(s) prior to any disciplinary action. In the case of a complaint involving a youth member, either as a complainant or person charged, an investigation must take place, and the evidence be reviewed by the Disciplinary Committee.
4. A majority of the Executive Director, ApHC President, and ApHC Vice President, with advice from ApHC legal counsel, must determine if prima facie evidence has been presented in the complaint sufficient to warrant a hearing before the Disciplinary Committee or Judges Committee for Judges Complaints.
 - a. If prima facie of evidence exists, the Executive Director, ApHC President, and Vice President, will refer the complaint to the Disciplinary Committee and ApHC Legal Counsel for review.** If such prima facie evidence has not been so presented, the complaint will be dismissed. The Executive Director, ApHC President, and ApHC Vice

President may agree to assess against the person filing the complaint costs, including attorney fees, incurred by the ApHC in reviewing any frivolous or unfounded complaint. The complainant will be so notified but shall have a right to resubmit the complaint with new or additional evidence up to ninety (90) days from the date of the dismissal of the original complaint otherwise complainant will have no right to resubmit the complaint .

- b. If there is prima facie evidence, a written notice of date, time, and location of a hearing together with a description of the violation charged and accompanying statement of evidence shall be mailed to the accused, the committee, complainant, ApHC legal counsel not less than thirty (30) days prior to the hearing. The ApHC shall also give notification to all parties via electronic means when possible.**
 - c. The individual(s) filing the complaint will be required to present testimony and/or evidence at a hearing if a hearing is deemed necessary by the Disciplinary Committee, or the complaint may be dismissed by the Disciplinary Committee.**
 - d. In the event two or more complaints are filed concerning the same incident, hearing(s) related to any such complaints may, at the ApHC's discretion, occur simultaneously.**
5. If it is determined that sufficient prima facie evidence has been presented, the Executive Director will cause notice of the hearing to be given to the charged member or nonmember as provided in rule 20.E.1. In such cases involving alleged violation(s) of any ApHC rule(s) pertaining to the administration of a forbidden substance, a notice of hearing shall be given and the hearing shall occur as close to 30 days after the notice is given as is possible under the circumstances. Either the Disciplinary Committee, **Judges Committee** or the Executive Director, upon instruction by the Disciplinary Committee or **Judges Committee**, is authorized to issue the Disciplinary Committee's written decision by notice to the parties.
 - a. If two or more complaints are filed concerning the same incident, prima facie evidence presented by the complaining parties may be reviewed in order to determine the validity of any such complaints and the hearing(s) related to any such complaints may, at the ApHC's discretion, occur simultaneously
5. The Executive Director, with approval from the ApHC Disciplinary Committee, shall have the authority of the Disciplinary Committee to enter into an appropriate agreement, including the imposition of sanctions and penalties called for under these rules, in the best interests of the ApHC settling and/or compromising and satisfying a complaint before any such complaint is heard by the Disciplinary Committee.
6. The Disciplinary Committee shall have the authority to enter into an appropriate agreement at any stage of these proceedings, in the best interests of the ApHC, settling and/or compromising and satisfying the complaint. A complainant may withdraw a complaint at any time, forfeiting all fees and costs for the complaint, and may also be subject to an assessment of the costs of hearing the complaint, including attorney fees in reviewing any frivolous or unfounded complaint.

7. Any agreement entered into under Rules 20.D.6. & 20.D.7. shall not be binding and effective until executed by Executive Director on behalf of the Disciplinary Committee, and all affected parties.

F. PREHEARING PROCEDURES

1. **Discipline Committee members must seasonably disclose any real or otherwise reasonably perceived conflicts of interest once such conflict or perceived conflict is realized.**
2. **No less than fifteen (15) days prior to the hearing, the person(s) charged in the complaint shall be required to submit any rebuttal statements, witness list, and any evidence they intend to present to the ApHC.**
3. **No continuance will be granted unless requested in writing and received in the ApHC office at least ten (10) days before the hearing and good cause is shown. A continuance will be granted or denied at the sole discretion of the Disciplinary Committee.**
4. **Any interested person may submit a written, verified (sworn) statement to the Disciplinary Committee prior to the hearing that shall be made part of the hearing record.**
5. **The Disciplinary Committee shall have the authority to enter into an appropriate agreement at any stage of these proceedings, in the best interests of the ApHC, settling and/or compromising and satisfying the complaint. Any agreement entered into under these rules shall not be binding and effective until executed by Executive Director or other designated person on behalf of the Disciplinary Committee, and all affected parties.**
8. **A complainant may withdraw a complaint at any time, forfeiting all fees and costs for the complaint, and may also be subject to an assessment of the costs of hearing the complaint, including attorney fees in reviewing any frivolous or unfounded complaint.**

G. HEARING PROCEDURES

1. Written notice of the date, time and location of a hearing, together with a description of the violation charged and accompanying statement of evidence shall be mailed to the charged member or nonmember not less than thirty (30) days prior to the hearing.
2. All disciplinary hearings will be held at the offices of the ApHC in Moscow, Idaho or as specified by the Disciplinary Committee. Any person participating in a hearing, including Disciplinary Committee members, persons charged, counsel and witnesses may appear at the hearing in person by way of teleconferencing. Any person appearing by teleconferencing shall notify the Executive Director in writing at least ten (10) days before the hearing and include a telephone number at which they can be reached at the time set for the hearing.
3. Any interested person may submit a written, verified statement to the Disciplinary Committee prior to the hearing that shall be made part of the hearing record.
4. No continuance will be granted unless requested in writing and received in the ApHC office at least ten (10) days before the hearing and good cause is shown. A continuance will be granted or denied at the sole discretion of the **Disciplinary Committee**.

5. The member or non-member charged by the complaint and the Complainant shall have the right to call witnesses, present testimony, under oath, and offer evidence to cross-examine any adverse witnesses and to provide rebuttal testimony and evidence.
6. The ApHC reserves the right to appear in any hearing, through designees and/or counsel, and call witnesses, present testimony, under oath, and offer other evidence to cross-examine any other witnesses and to provide rebuttal testimony and evidence.
7. The Disciplinary Committee may call and interrogate witnesses.
8. **The decision of the Disciplinary Committee will be final.**

1. **All disciplinary hearings will be held at the offices of the ApHC in Moscow, Idaho or as specified by the Disciplinary Committee.**
2. **The person(s) charged in the complaint and the Complainant shall have the right to call witnesses, present testimony, and offer evidence to cross-examine any adverse witnesses and to provide rebuttal testimony and evidence.**
3. **The complainant or their legal representation shall bear the responsibility for prosecution of their case. The ApHC or its legal counsel shall not be responsible for prosecution of the complaint unless the complaint was brought forth by an ApHC staff member.**
 - a. **The ApHC reserves the right to appear in any hearing, through designees and/or counsel, and call witnesses, present testimony, and offer other evidence to cross-examine any other witnesses and to provide rebuttal testimony and evidence at any time.**
4. **Following presentation of the complainant's case, the accused shall have the opportunity to question any witnesses brought forth by the complainant.**
5. **Following the complainant's presentation of evidence, the accused shall present their case and the complainant shall have the opportunity to cross examine any witnesses of the accused.**
6. **After the complainant and accused have presented their case, the Disciplinary Committee and/or ApHC may call any additional witnesses. At all times, the Disciplinary Committee may ask questions of the parties or their witnesses.**
7. **Following the presentation of the case, the parties shall be excused and the Disciplinary Committee shall deliberate and determine if a violation has occurred and assess penalty or sanctions in accordance with these rules. A majority vote of the Disciplinary Committee hearing any matter shall be determinative of guilt.**
8. **The decision and action of the Disciplinary Committee shall be final and binding on all parties, except that the Disciplinary Committee reserves the right to modify or set aside its decision for reasons of mistake, fraud or misrepresentation or any other reason justifying relief from a decision.**

9. **Upon instruction by the Disciplinary Committee, the Executive Director or President, in consultation with ApHC legal counsel, is authorized to issue a written statement including the committee's findings of fact and ultimate decision.**
 - a. **The written statement shall be provided to the accused within ten (10) business days after the Disciplinary Committee reaches its decision.**

Rationale: These suggested edits were suggested by ApHC Legal Counsel to more clearly define our disciplinary process. A clarifying section of pre-hearing procedures was added. Notably a defined timeline of feedback to the accused was spelled out in 9.a.

H. HEARING STANDARDS

1. Proceedings before the Disciplinary Committee shall be informal, and rules of evidence, both at common law or provided by Idaho rules of civil or criminal evidence or procedure, need not be strictly observed. The standard by which admissibility is determined is whether the evidence is such that an ordinarily prudent person is willing to rely upon it. The Disciplinary Committee will be the sole judge of the relevance and probative value attributed to any evidence.
2. **Based upon the evidence presented, the Disciplinary Committee may find that the person(s) charged in the Complaint are in violation of other rules not specified in the Complaint. However, a finding under this subsection is limited to rule violations that are reasonably related to the conduct described in the Complaint and at hearing.**
3. Proof necessary to establish a rule violation is that quantum of proof which would lead a reasonable person to believe the matter alleged in the complaint and notice of hearing is established by the evidence presented to the Disciplinary Committee.
4. All proceedings before the ApHC Disciplinary Committee, all documents and evidence, including but not limited to the complaint, a list of witnesses, witness statements and/or affidavits, prehearing filings and discover, the hearing record transcript and/or testimony and all deliberations in any form, to come before the ApHC Disciplinary Committee are confidential and are not subject to disclosure unless the ApHC Board of Directors elects to disclose to others such information or unless the ApHC is required by law or court order to disclose any such information. All proceedings before the ApHC Disciplinary Committee, all documents and evidence, including but not limited to the complaint, a list of witnesses, witness statements and/or affidavits, prehearing filings and discover, the hearing record transcript and/or testimony and all deliberations in any form, to come before the ApHC Disciplinary Committee are confidential and are not subject to disclosure unless the ApHC Board of Directors elects to disclose to others such information or unless the ApHC is required by law or court order to disclose any such information. This section shall not restrict any party from disclosing otherwise confidential information in the course of filing or defending an action in a court of law based on the decision of the Disciplinary Committee.
5. All parties, witnesses and participants in a disciplinary process, including members of the Disciplinary Committee, shall be immune from any civil liability whatever, including, but not

limited to, libel, slander, invasion of privacy, defamation, product disparagement, interference with contract, interference with prospective business relations and any other tortuous conduct, for testimony given and/or evidence presented in connection with the proceeding or at the hearing.

I. ALTERNATIVE HEARING PROCEDURE

1. In the event the Disciplinary Committee, in its sole judgment, is unable or refuses to hear any matter, every member or non-member agrees to submit to hearing and determination of any alleged violation of ApHC rules before and under jurisdiction of the American Arbitration Association, which shall apply ApHC rules and regulations pertaining to violations and penalties and shall apply the procedural rules of the American Arbitration Association.
2. All expenses associated with employment of the American Arbitration Association **arbitration** shall be paid, in advance, by the member(s) Complainant and the person(s) charged in the complaint initiating or alleging any such charge of rule violation or, if not so paid, any such charge of rule violation shall be summarily dismissed by the ApHC.
3. The American Arbitration Association's decision shall be determinative of guilt and its decision and action shall be final and binding on all parties and the ApHC.

J. DISCIPLINARY RECIPROCITY

1. The ApHC may give reciprocal effect to the authorized disciplinary action of any association listed in subsection 3 of this rule for misconduct involving any horse including, but not limited to, the following categories of misconduct:
 - a. Unsportsmanlike conduct.
 - b. Cruel or inhumane treatment of horses.
 - c. Prohibited surgical procedure or injection or administration of foreign substances, drugs or medication that could affect a horse's performance, soundness or disposition or alter its natural conformation or appearance.
2. If an individual is convicted of or pleads guilty to or is found to have participated knowingly in any such misconduct under state or federal law or rules of other equine associations, such conviction, plea or finding shall create a presumption of violation of ApHC rules.
3. The ApHC will consider giving reciprocal effect to the authorized disciplinary action of the following associations:
 - a. International Affiliates of the Appaloosa Horse Club
 - b. American Miniature Horse Association (AMHA)
 - c. American Paint Horse Association (APHA)
 - d. American Quarter Horse Association (AQHA)
 - e. International Buckskin Horse Association (IBHA)

- f. National Cutting Horse Association (NCHA)
 - g. National Reining Horse Association (NRHA)
 - h. National Snaffle Bit Association (NSBA)
 - i. Palomino Horse Breeders of America (PHBA)
 - j. Pinto Horse Association of America (PtHA)
 - k. Pony of the Americas Clubs (POA)
 - l. Any other horse breed association or equine organization that the ApHC deems to be reputable and responsible.
4. A complaint alleging that an ApHC member or nonmember should be subject to reciprocal effect for any such misconduct shall be processed and heard by the ApHC Disciplinary Committee in like manner as disciplinary procedures for violation of ApHC rules.
 5. Any ApHC member or nonmember against whom reciprocal effect is given by the ApHC for any such misconduct is subject to those penalties set forth in GENERAL PENALTIES AND SANCTIONS.
 6. The ApHC shall promptly notify each association listed **in this section** with the name of and violation committed by each individual who either pleads guilty or is convicted after hearing of violations of ApHC rules pertaining to those categories of misconduct listed in **this section**.

Rationale: generically listed due to the changes preceding these rules.

For Reference – email vote will be captured in next meeting’s minutes

40. DRUGS AND MEDICATIONS

IF THESE RULES CONFLICT WITH THE RULES OF A RACING ORGANIZATION, the RACING ORGANIZATION RULES SHALL APPLY

A. CAUTION

Exhibitors, owners, trainers and veterinarians are cautioned against the use of medicinal preparations, tonics, pastes, and products of any kind, the ingredients and quantitative analysis of which are not specifically known, as many of them may contain a Forbidden Substance.

B. NO FORBIDDEN SUBSTANCE

No horse shall be shown in any class in any ApHC-approved or -sponsored event or race meet or meet or event held in conjunction with an ApHC-approved or -sponsored event or race meet if, either before or during such approved or sponsored event, the horse has been administered in any manner any Forbidden Substance.

C. DEFINITION OF FORBIDDEN SUBSTANCE

For purposes of this Rule, a Forbidden Substance is any:

1. Stimulant, depressant, tranquilizer, local anesthetic, psychotropic (mood and/or behavior altering) substance, or drug that might affect the performance of a horse (stimulants and /or depressants are defined as substances that stimulate or depress the cardiovascular, respiratory or central nervous system), or any metabolite and/ or analogue of any such substance or drug categorized as published in the then most recent edition of the Association of Racing Commissioners International, Inc. ("ARCI") Uniform Classification Guidelines for Foreign Substances.
2. Any anabolic steroid, testosterone or testosterone analog substance.
4. Substance, regardless of how harmless or innocuous it might be, that may interfere with ApHC's drug testing procedures or interfere with the detection of any Forbidden Substance or quantification of substances permitted by this rule.

D. PERMITTED EXCEPTIONS

Certain therapeutic and non-optional medications are permitted to be administered to a horse shown in an ApHC-approved or -sponsored event only under the following conditions:

1. The medication must be therapeutic and necessary for the diagnosis or treatment of an existing documented illness or injury of the horse. Administration of a forbidden substance for non-therapeutic or optional purposes (such as, by way of example only, transporting, shipping, clipping, training, turning out, routine floating or cleaning of teeth, nondiagnostic nerve blocking, uncasting, mane pulling or non-emergency shoeing) is not considered to be therapeutic or non-optional.
2. The only conditionally permitted medications that may be administered within 24 hours of a horse's participation in any class are: Phenylbutazone, Diclofenac (Surpass), Flunixin, Ketoprofen, Meclofenamic Acid, Naproxen, Dexamethasone, Firocoxib (Equioxx), Acetazolamide, Furosemide, Omeprazole and Lidocaine/Mepivacaine, and then only under the conditions as set forth in this rule and within the following concentrations. No more than one of the above NSAID medications can exceed maximum acceptable trace plasma levels and no more than two of the above conditionally permitted NSAID medications can be present together in the horse's system. The use of more than one NSAID medication within a 48- hour period is not permitted.
3. CAUTION—Exhibitors, owners, trainers and veterinarians are cautioned against the use of medicinal preparations, tonics, pastes, and products of any kind, the ingredients and quantitative analysis of which are not specifically known, as many of them may contain a forbidden substance.
4. The exception permitted by this rule for administration of conditionally permitted medications does not apply if administration of the medication is otherwise prohibited by applicable governmental law, rule or regulation

D. DEFINITION OF COMMONLY UTILIZED THERAPUTIC MEDICATION.

1. For purposes of this rule, a commonly utilized therapeutic medication is defined as the following: Phenylbutazone, Diclofenac (Surpass), Flunixin (Banamine®), Ketoprofen, Meclofenamic Acid (Arquel®), Naproxen, Dexamethasone, Firocoxib (Equioxx), Acetazolamide, Furosemide, Omeprazole, Altrenogest (Regumate®) and Lidocaine/Mepivacaine.
2. Any horse testing in excess of the maximum allowable concentration for any commonly utilized therapeutic medication as set forth in the Administration Guidelines below shall be presumed to be in violation of this rule. For the avoidance of doubt, there shall be no administration of a commonly utilized therapeutic medication within 24 hours of a horse's participation in any class if such administration is likely to result in testing concentrations in excess of those set forth in the Administration Guidelines below
3. The exception permitted by this rule for administration of commonly utilized therapeutic medications shall not apply if administration is otherwise prohibited by applicable governmental law, rule or regulation.

E. PERMITTED EXCEPTIONS FOR THERAPEUTIC USE OF FORBIDDEN SUBSTANCES.

1. Certain therapeutic and non-optional medications, which are otherwise considered Forbidden Substances, are permitted to be administered to a horse shown in an ApHC- approved or sponsored event only if such is therapeutic, necessary, and non-optional for the diagnosis or treatment of an existing documented illness or injury of the horse, and a medication report is filed as described in the Safe Harbor Process below.
 - a. Administration of a Forbidden Substance for the following non-exhaustive list of purposes will not be considered therapeutic or non-optional: transporting, shipping, clipping, training, turning out, routine floating or cleaning of teeth, nondiagnostic nerve blocking, uncasting, mane pulling or non-emergency shoeing) is not considered to be therapeutic or non-optional.

F. Safe Harbor Process.

In the event that a Forbidden Substance or other medication not defined within these rules is used for a therapeutic and non-optional use as described above, the Responsible Parties (as defined in Rule 50) shall be presumed not to have violated this rule if the following conditions are met:

- a. Filing of a completed medication report (available from ApHC or show management) with show management before exhibiting the horse. The medication report must contain the following information:
 - i. Identification of the horse: Name, age, sex, color, and entry number.
 - ii. Diagnosis of illness/injury and reason for administration signed by the diagnosing and prescribing veterinarian.
 - iii. If prescribed in writing, a copy of the prescription must be attached to the medication report.
 - iv. Identification of the medicine; the name, dosage, and mode of administration.

- v. Signed certification of EACH administration by the person administering the substance certifying the date, time, dosage, and method of administration.
 - vi. The medication report is confidential and shall be placed in a sealed envelope in the show office which shall be signed, dated, and time stamped by the ApHC or show management at the time of receipt. The envelope and all contents shall only be opened and inspected in the event of a positive drug test involving the horse. Following the reporting of all drug testing, the envelope will remain sealed and will be shredded to protect the confidentiality and integrity of the safe harbor process.
- b. The horse must be withdrawn and kept out of competition for not less than 24 hours after the medication is administered.
 - c. The medication report must be filed with show management within one hour of the first administration of the medication or one hour after show management is available, if administration occurs at a time other than during competition hours. If multiple administrations of a substance are conducted, certifications as described above must be provided to the ApHC prior to the end of the show.
 - d. The medication report must be signed by show management and the time of receipt recorded on the report.
 - e. While this report need only be filed only if the administered substance is present in the horse at the time of competition/test sampling, it is the sole responsibility of the Responsible Parties to determine if a Medication Report should be submitted. IF THERE IS ANY DOUBT, A MEDICATION REPORT SHOULD BE FILED.
 - f. The ApHC reserves the right to investigate any alleged violation of this rule and recommend a charge of rule violation based on findings of an investigation.
 - g.

Rationale: Through the past disciplinary process we found that two cases of positive tests were ruled as therapeutic. Had there been more clear provisions to allow for the declaration of said medication administration to the horse, no disciplinary process would have been initiated including the temporary suspension and expense to the club and members. A form has been developed and we will need to provide education to our membership.

G. ADMINISTRATION GUIDELINES OF **COMMONLY UTILIZED THERAPUTIC MEDICATIONS.**

The following administration guidelines are intended to assist Members in complying with safe and evidence based standards of therapeutic use of nonsteroidal anti-inflammatory drugs or other therapeutic medications. These medications are commonly accepted in veterinary medicine and standard animal husbandry practices to ensure the comfort and well-being of the equine athlete. Responsible Parties are advised to consult a knowledgeable veterinarian and establish an appropriate veterinarian client relationship for prescription and administration guidelines specific to each horse. Reliance upon these guidelines will not serve as a defense to a charge of violation of ApHC rules regarding administration of Forbidden Substances.

Nonsteroidal Anti-Inflammatory Drugs (NSAIDs)

No more than one of the following NSAIDs can exceed maximum acceptable trace plasma levels and no more than two of the following commonly utilized NSAIDs can be present together in the horse's system. The use of more than one NSAID within a 48- hour period is not permitted.

1. **Phenylbutazone (Bute®)** (insert new level here) Whenever phenylbutazone is administered, the dose should be accurately calculated according to the actual weight of the horse. Each 24 hours, not more than 0.2 grams per 100 pounds body weight should be administered, preferably less. For a 1,000 pound animal, the maximum daily dose is 2.0 grams, which equals two one-gram tablets, or two one-gram units of paste, or 10 cc of the injectable, or the equivalent. No dose should be administered during the 24 hours immediately following the prior dose. No part of a dose should be administered during the two (2) hours prior to competing. If the medication is administered in the feed, the medicated feed should be removed not closer than two (2) hours prior to competing, although the horse may be given unmedicated feed any time. The medication should be used for not more than five (5) successive days.
2. **Flunixin (Banamine®)** (insert new level here) Whenever flunixin is administered, the doses should be accurately calculated according to the actual weight of the horse. Each 24 hours, not more than 50.0 milligrams per 100 pounds body weight should be administered, preferably less. For a 1,000 pound animal, the maximum daily dose is 500 mg, which equals one 500 mg unit of paste, or one 500 mg packet of granules, or two 250 mg packets of granules, or 10 cc of the injectable, or the equivalent. No dose should be administered during the 24 hours immediately following the prior dose. No part of a dose should be administered during the two (2) hours prior to competing. If the medication is administered in the feed, the medicated feed should be removed not closer than two (2) hours prior to competing, although the horse may be given unmedicated feed any time. The medication should not be used for more than five (5) successive days.
3. **Diclofenac (Surpass®)**— Every 12 hours, not more than 73 mg of diclofenac liposomal cream should be administered (not more than 146 mg per 24 hour period) to one affected site. This 73 mg dose equals a five-inch ribbon of cream not greater than one-half inch in width, which should be rubbed thoroughly into the hair over the joint or affected site using gloved hands. Administration of diclofenac cream should be discontinued two (2) hours prior to competing. Do not apply diclofenac cream in combination with any other topical preparations including DMSO, nitrofurazone or liniments, and do not use on an open wound. Diclofenac cream should not be administered for more than 10 successive days. Use the topical preparation only, not the oral alternative. Follow the manufacturer's directions specifically.
4. **Firocoxib (Equioxx®)**—(insert new level here) When firocoxib is administered, the dose should be accurately calculated according to the actual weight of the animal. For a 1,000-pound animal, the maximum daily dose is 45.5 milligrams, which equals 0.1

milligrams per kilogram of body weight once daily. No part of a dose should be administered during the two (2) hours prior to competition. Firocoxib should not be administered for more than 14 successive days.

5. **Ketoprofen (Ketofen®)**— (insert new level here) When Ketoprofen is administered, the dose should be accurately calculated according to the actual weight of the animal. Each 24 hours, not more than 1.0 milligram per pound of body weight should be administered. For a 1,000-pound animal, the maximum daily dose is 1.0 gram, which equals 10 cc of the injectable (100 milligrams per milliliter). No part of a dose should be administered during the two (2) hours prior to competing. The medication should not be used for more than five successive days.
6. **Naproxen**—(insert new level here) When Naproxen is administered, the dose should be accurately calculated according to the actual weight of the animal. Each 24 hours, not more than 4.0 milligrams per pound of body weight should be administered. For a 1,000-pound animal, the maximum daily dose is 4.0 grams, which equals eight 500-milligram tablets. No part of a dose should be administered during the two (2) hours prior to competing. Any medicated feed should be consumed and/or removed at least two (2) hours prior to competing. The medication should not be used for more than five successive days.

Other Commonly Utilized Therapeutic Medications

1. **Acetazolamide**—May only be administered to horses documented through DNA testing from a sample that has also been tested to verify parentage, to be positive (N/H or H/H) for HYPP (Hyperkalemic Periodic Paralysis) and such HYPP status must be noted on ApHC Certificate of Registration and made available to the public in the horse's files. When acetazolamide is administered, the dose should be accurately calculated according to the actual weight of the animal. Each 24 hours, not more than 3 milligrams per pound of body weight should be administered. For a 1,000-pound animal, the maximum daily dose is 3 grams. Owners must notify the ApHC of HYPP test results (N/H or H/H) and said notice shall be filed with the ApHC and include proper identification of the horse and such notification shall be required prior to administration of acetazolamide.
2. **Altrenogest (Regumate®)** – may be utilized for any horse.
3. **Dexamethasone**—The maximum permitted plasma concentration is 3.0 nanograms per milliliter at the time of competition. In order to help trainers, owners and their veterinarians achieve compliance with this rule in connection with the therapeutic use of dexamethasone, it should be administered in accordance with the guidelines below. These guidelines include several alternative scenarios for dose time, and route of administration. Whenever **dexamethasone** is administered, the dose should be accurately calculated according to the actual weight of the animal.
 - a. Alternative number 1. (2.0 mg or less per 100 pounds IV or IM at two (2) or more hours before competition). Each 24 hours, not more than 2.0

milligrams of dexamethasone injectable solution per 100 pounds of body weight should be administered intravenously or intramuscularly, preferably less. For a 1,000-pound animal, the maximum daily intravenous or intramuscular dose of dexamethasone injectable solution is 20.0 milligrams, which equals 5.0 milliliters of the injectable solution (4.0 milligrams per milliliter). No part of this dose should be administered during the two (2) hours prior to competing. Dexamethasone should not be administered for more than five successive days.

- b. Alternative number2. (1.0 mg or less per 100 pounds orally at two (2) or more hours before competition). Each 24 hours, not more than 1.0 milligram of dexamethasone powder per 100 pounds of body weight should be administered orally, preferably less. For a 1,000- pound animal, the maximum daily oral dose of dexamethasone powder is 10.0 milligrams, which equals one packet of dexamethasone powder (10.0 milligrams per packet). No part of this dose should be administered during the two (2) hours prior to competing. Any medicated feed should be either consumed or removed at least two (2) hours prior to competing. Dexamethasone should not be administered for more than five successive days.
4. **Furosemide (Lasix®)**—When used, must be administered intravenously at least four (4) hours prior to competition. The maximum permitted plasma concentration of furosemide is 100 nanograms per milliliter.
5. **Lidocaine/Mepivacaine**—(when administered within 24 hours of showing) may only be used under actual observation of event management (or designated representative) and/or the official show veterinarian, either of whom must sign a medication report form, to aid in the surgical repair of minor skin lacerations which, by their very nature, would not prevent the horse from competing following surgery. Said medication report form must be filed with show management.
6. **Methocarbamol (Robaxin-V®)** - When methocarbamol is administered, the dose should be accurately calculated according to the actual weight of the animal. For a 1,000-pound animal, the maximum daily dose is 10.0 grams, which equals 100 ml (100 milligrams/milliliter) or 10 tablets (500 milligrams/tablet).
7. **Omeprazole** - For treatment of gastric ulcers, omeprazole should be administered orally once-a day for 4 weeks at the recommended dosage of 1.8 mg omeprazole/lb body weight (4 mg/kg). For the prevention of recurrence of gastric ulcers, continue treatment for at least an additional 4 weeks by administering omeprazole at the recommended daily maintenance dose of 0.9 mg/lb (2 mg/kg).
8. **Pergolide (Prascend®)** - For the control of clinical signs associated with Pituitary Pars Intermedia Dysfunction (Equine Cushing's Disease) in horses. Whenever pergolide is administered, the dose should be accurately calculated according to the actual weight of the animal. Dosage not to exceed 4 mcg/kg daily. For a 1,000-

pound animal, the maximum daily oral dose is 4 milligrams, which equals 4 tablets (1 milligram per tablet).

Rationale: Not all conditionally permitted exceptions are NSAIDS. Reordered several medications alphabetically and according to classification. Corrected spelling errors above. No changes in dosage were made, just removed redundant brand names throughout the text and placed it next to it's generic equivalent. Notably Dexamethasone is not an NSAID, but rather a corticosteroid and furosemide is a diuretic. Added #5 Omeprazole as it is listed in the text above, but not as a separate medication.

G. DRUG VIOLATIONS

It shall be a violation of this rule for any person to:

1. Administer, aid in the administration, cause to be administered or conspire in the administration of any Forbidden Substance, or a **commonly utilized therapeutic medication** in excess of maximum allowable concentrations, in any manner to a horse before or during any ApHC approved or sponsored event in which that horse is shown.
2. Administer, aid in the administration, cause to be administered or conspire in the administration of any substance to a horse which may interfere with ApHC's drug testing procedures or the detection of any Forbidden Substance or Commonly utilized therapeutic medication in excess of maximum allowable concentrations.
3. Fail or refuse to cooperate with a licensed veterinarian or his/her agents upon request of any ApHC representative and promptly comply with their requests, including, but not limited to:
 - a. Taking said veterinarian or his or her agents immediately to the location selected by said veterinarian or agents for testing the horse and presenting it for testing.
 - b. Assisting said veterinarian or his or her agents in procuring the sample promptly, including but not limited to removing equipment from the horse, leaving it quietly in the stall, and avoiding any distractions to it. Schooling, lengthy cooling out, bandaging, and other delays of this type are presumed to be noncooperation.
 - c. Maintaining a polite attitude and actions toward said veterinarian and his or her agents.
 - d. Failure of any Responsible Party witnessing the sample collection to sign any forms required by the veterinarian so long as the signing of such forms would not constitute a fraud or misrepresentation of the signing party. The failure to do shall also waive any objections to the testing process or results.

H. RESPONSIBLE PARTY

Each Responsible Party (as defined at Rule 50) shall have absolute responsibility for the condition of the horse and shall be subject to disciplinary action under those rules upon proof of the presence of a substance in violation of this rule.

I. DISCIPLINARY PROCEDURE

Any person allegedly or presumptively in violation of this rule is subject to disciplinary action under these rules.

J. BURDEN OF PROOF

1. The presence in a horse of a Forbidden Substance or excessive level of a **commonly utilized therapeutic medication**, proven by laboratory analysis, whether obtained from blood, urine, saliva or other sample, constitutes prima facie evidence that a substance has been administered to the horse and creates a presumption of a violation of this rule.
2. It is presumed the sample of urine, saliva, blood, or other substance tested by an approved laboratory to which it is sent is the one taken from the horse in question, its integrity is preserved, and that all procedures of same collection and preservation, transfer to the laboratory, and analysis of the sample are correct and accurate, and the report received from the laboratory pertains to the sample taken from the horse in question and correctly reflects the condition of the horse during the show in which he was entered, with the burden being placed on the person(s) charged in the complaint to prove otherwise at any hearing conducted by the ApHC in regard to that matter.
3. These burden of proof provisions shall be applicable in and govern any case brought under this rule.

K. ESCROW OF AWARDS

The owner of a horse registered or certified with the ApHC consents and agrees as a condition to receiving points, awards, compensation of any and all types at ApHC-approved or –sponsored events to allow the escrowing of any points, awards, compensation, recognition or monies won or earned by said horse from and after the date of the reporting of a positive drug test involving said horse at an ApHC-approved or -sponsored event and agrees to immediately send to the ApHC all said awards in the Responsible Party's possession to be held in escrow until the exhaustion of all ApHC hearing procedures and/or subsequent litigation involving the alleged rule violation. All Responsible Parties for said horse that is found to have a substance **in violation of this rule** in its system, may be required to forfeit all prizes, monies, trophies, ribbons and/or any other awards and points won in said event by said horse.

L. SANCTION AND PENALTY

If found guilty of violation of any ApHC rule pertaining to administration of a substance in violation of this rule, in addition to other penalties that may be imposed under these rules, the accused shall be assessed the following minimum penalties:

1. For administration of a commonly utilized therapeutic medication in excess of allowable concentrations, payment of all hearing expenses and:
 - a. First offense—\$350 fine and disqualification from the event.
 - b. Second offense—\$700 fine and disqualification from the event.
 - c. Third and subsequent offenses—Penalties to be determined on an individual basis. Minimum recommended penalty for third offense is a six-month suspension, fine to be determined by ApHC, and disqualification from the event. Penalties for subsequent offenses to increase in severity with the possibility of permanent lifetime suspension.

2. For the administration of a Forbidden Substance other than commonly utilized therapeutic medication violations, the penalty is determined by the number of offenses and the classification of the drug according to the applicable ARCI Uniform Classification Guidelines for Foreign Substances and shall include disqualification from the event, payment of all hearing expenses, and:
 - a. First offense with a
 - i. Class 1 Drug, 1–5 year suspension and up to a \$5,000 fine.
 - ii. Class 2 Drug, 6 months–1 year suspension and \$1,500–\$2,000 fine.
 - iii. Class 3 Drugs, 2–6 month suspension and up to a \$1,500 fine.
 - iv. Class 4 Drug, 15–60 day suspension and up to a \$1,000 fine.
 - v. Class 5 Drug, 0–15 day suspension with possible fine.
 - b. Second offense with a
 - i. Class 1 Drug, 2–10 year suspension and up to a \$10,000 fine.
 - ii. Class 2 Drug, 1–2 year suspension and \$3,000–\$5,000 fine.
 - iii. Class 3 Drug, 4 month–1-year suspension an up to a \$3,000 fine.
 - iv. Class 4 Drug, 1–4 month suspension and up to \$2,000 fine.
 - v. Class 5 Drug, 1–2 month suspension and up to \$500 fine.
 - c. Third (or more) offense with a
 - i. Class 1-3 Drug, indefinite suspension, suggestion of 11 years or more and up to a \$15,000 fine.
 - ii. Class 4 Drug, 2-year suspension, and up to \$5,000 fine.
 - iii. Class 5 Drug, 1-year suspension, and up to \$2,500 fine.
3. Penalty pertaining to the horse:
 - a. If the owner of the horse is found guilty of administering Forbidden Substance to the horse, then the horse shall also be suspended from participation in all ApHC- approved and sponsored classes for the same period as the suspension imposed against the owner, and the horse shall also be suspended from participation in the next ApHC-sponsored National Show or World Show.
 - b. If, any time after the urine/blood is drawn for the drug test, said horse, having tested positive for a Substance **in violation of this rule**, is sold to any innocent party the horse shall serve 90 days from the date of sale or the remainder of its suspension, whichever is less, and shall also serve the suspension from the next ApHC-sponsored National Show or World Show.

4. Following a finding of guilt of the administration of a Substance **in violation of this rule** of under Rule 20, the name(s) of the guilty person(s), rule violation (s), horse(s) involved, identification of the Substance(s) involved and fine(s) imposed shall be published in Appaloosa Journal and on the ApHC web site for up to the first 12 months of such suspension and once annually thereafter during the period of suspension. Multiple violations of any Substance **in violation of this rule** involving the same horse on the same day will be considered as a single offense. Multiple violations of any Substance **in violation of this rule** involving any person subject to these rules and more than one (1) horse on the same day will be considered as a separate offense as to each such horse.
5. In the event of disqualification of horse or horses in a class at the Youth World Championship Appaloosa Show/National Appaloosa Show or World Championship Appaloosa Show, for violation of this rule, the placings shall be advanced to fill the vacated award positions. Simple advancement will be the procedure and no rescoring of the class in the event of multiple judges will be considered.

L. TEMPORARY SUSPENSION

Upon test results showing the presence in a horse of a substance in violation of this rule, all Responsible Parties shall be immediately temporary suspended pursuant to Rule 20.