



Gaming Commission

One Broadway Center, P.O. Box 7500, Schenectady, NY 12301-7500
www.gaming.ny.gov

September 3, 2020

Re: **Industry Comment to Proposed Rulemaking for Exercise-Induced Pulmonary Hemorrhage (EIPH)**

To Whom It May Concern:

On August 11, 2020, the New York State Gaming Commission submitted a Notice of Proposed Rulemaking to the Department of State proposing amendments to its rule regulating exercise-induced pulmonary hemorrhage (EIPH), 9 NYCRR § 4043.2(b).

The Notice of Proposed Rule Making is published in the September 2, 2020 *State Register* and the full text of the proposal is posted at <https://www.gaming.ny.gov/proposedrules.php>.

The proposal would strengthen existing rules related to EIPH in Thoroughbred racing by requiring trainers to maintain a record of serious EIPH episodes for a minimum of four years, unless given to a subsequent trainer or owner or reported to the Commission in a new online reporting system to be created by the Commission. The proposal would permit the trainer to delegate the online reporting duty to the treating veterinarian.

The proposal would also codify the standard practice of excluding a horse that experiences epistaxis for specific minimum time periods.

If you wish to provide any comments on this proposed rulemaking, please submit your written comments to Kristen M. Buckley at One Broadway Center, Suite 500, Schenectady, NY 12305 or gamingrules@gaming.ny.gov no later than November 2, 2020.

Very truly yours,

Kristen M. Buckley
Acting Secretary