

KNOW YOUR RIGHTS

UNDER HISA'S ADMC PROGRAM



*Under HISA's Anti-Doping and Medication Control (ADMC) Program, **all Covered Persons are protected by a set of rights** throughout the results management and adjudication processes following an alleged rule violation. All owners, trainers and other horsemen and racing participants facing sanctions before HISA are entitled to the following options.*

RACING PARTICIPANTS:

*If you or a horse you are responsible for are subject to an enforcement action by HIWU for an alleged HISA ADMC Program violation, you are entitled to certain rights **before** being formally charged with a violation. These include:*

- The right to **receive a notice of a potential violation** before a formal charge is served
 - **Note:** Potential violations are published on the hiwu.org [Public Disclosures page](#) after one of the following (whichever occurs earliest):
 - The imposition of Provisional Suspension (if applicable)
 - In Presence cases, when the B Sample analysis is waived or confirms the A Sample
 - In non-Presence cases, the service of a Charge Letter
- At any time prior to the issuance of a formal charge, the **right to provide an explanation to HIWU about the circumstances** of the potential violation
- In Presence cases, when a horse tests positive for a Prohibited Substance, you have the right to:
 - A. Receive the relevant Certificate of Analysis and Sample Collection Documentation
 - B. Receive the A Sample Laboratory Documentation Package
 - C. Within a short deadline, request that the B Sample be analyzed, at your cost, before a charge is served
- If a Provisional Suspension is imposed, you have the **right to request an expedited hearing** on whether the suspension should be lifted
- At all times, you have the right to be **represented by counsel**

***After** you or a horse in your care are formally charged with a violation under HISA's ADMC Program, you have several options meant to protect your right to a fair and transparent adjudication process. These rights include:*

- The **right to receive notice of the formal charge** of a potential violation;
- For Anti-Doping Rule Violations, the **right to a hearing (in-person or virtual) before the Arbitral Body**
- For Controlled Medication Rule Violations, the **right to request a hearing (virtual or in-person) before the Internal Adjudication Panel**
- The **right to make an early admittance of the allegation within a short deadline** and receive an automatic reduction in the Period of Ineligibility
- The **right to admit to the alleged violation(s)** and accept the Consequences without a hearing
- The **right to admit the alleged violation(s)** and seek to mitigate the proposed Consequences with HIWU
- The **right to admit the alleged violation(s)** and seek to dispute or mitigate the proposed Consequences at a hearing
- The **right to provide Substantial Assistance**, including full disclosure of all credible information regarding violations by other Covered Persons of the ADMC Protocol, and fully cooperating with the investigation and adjudication of any case relating to such information, in order to receive a reduction in the proposed Consequences
- The **right to deny the alleged violation** and dispute the Consequences at a hearing
- Before your hearing, the **right to submit a pre-hearing brief**
- During your hearing, the **right to make opening and closing arguments** related to the alleged violation and/or the proposed Consequences
- During your hearing, the **right to offer relevant and material evidence** to dispute the allegations and/or the proposed Consequences, including the **right to utilize experts, call and/or cross-examine witnesses, and request the production of documents**
- The **right to request a review by a federal Administrative Law Judge** of any final decision within 30 days of the imposition of sanctions
- The **right to request that the FTC review the decision** of the Administrative Law Judge

Racing participants seeking assistance in navigating this process can contact HISA and HIWU ombudsman Alan Foreman via email at alan@foremanlaw.net or by phone at (410) 336-0525. The ombudsman serves as an impartial and unbiased resource for Covered Persons and other Thoroughbred industry constituents to provide confidential advice and assistance in relation to HISA's Programs at no cost. The Ombudsman cannot act as an advocate for the Covered Person, but is there to help understand and navigate the process.

Additional questions? Email feedback@hisaus.org or call our dedicated help desk at +1 (877) 513-2919, open 24/7.

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OWNERS:

*If a horse you own is subject to an enforcement action by HIWU, you are entitled to certain rights **before** a formal charge is served. These include:*

- The **right to receive a notice of a potential violation** before a formal charge is served
 - **Note:** Potential violations are published on the [hiwu.org Public Disclosures page](http://hiwu.org/PublicDisclosuresPage) after one of the following (whichever occurs earliest):
 - The imposition of a Provisional Suspension (if applicable)
 - In Presence cases, when the B Sample analysis is waived or confirms the A Sample. In non-Presence cases, the service of a Charge Letter
- In Presence cases, the right to:
 - Receive the relevant Certificate of Analysis and Sample Collection Documentation
 - Receive the A Sample Laboratory Documentation Package
 - Within a short deadline, request that the B Sample be analyzed, at your cost, before a charge is served
- When a Provisional Suspension has been imposed on your horse, you have the **right to request an expedited hearing** on whether the suspension should be lifted
- In certain cases, the **right to have your horse released from a Provisional Suspension** subject to a negative Re-Entry Test scheduled through HIWU

***After** you are served with a formal charge of a violation under HISA's ADMC Program, you have several options meant to protect your right to a fair and transparent adjudication process. These rights include:*

- The **right to receive notice of the formal charge** of a potential violation involving your horse(s)
- In all cases the **right, upon request, to observe any proceedings involving your horse(s)** and receive copies of all filings
- In Anti-Doping Rule Violation cases, the **right to request the Arbitral Body to permit you to intervene** in the matter involving your horse(s)
 - If permitted to intervene, the **right to submit briefs, make opening and closing arguments, offer relevant and material evidence, utilize experts, call and/or cross-examine witnesses, and request the production of documents.**
- The **right to request a review by a federal Administrative Law Judge** of any final decision involving your horse(s)
- The **right to request that the FTC review the decision** of the Administrative Law Judge involving your horse(s)

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