

I am Joni Child. I have worked as a nurse and administrator in Health Care for over 30 years. In an administrative role I have administered oversight of day to day management teams, risk management, development and implementation of new services, opening, closing and merging of healthcare facilities, long and short term program needs assessments, established standards and guidelines and created protocols to facilitate meeting the standards; including recredentialing and reaccreditations of individuals, organizations and institutions. I am extremely familiar and excel at working with local, state and federal regulatory agencies and the associated regulations.

I am fortunate to have been involved with horses the majority of my life, and Tennessee Walkers the past 18 years. Due to the privilege of having Tennessee Walking Horses, I have volunteered my time in many capacities in the Walking Horse Industry including the Desert Horse Show Association in Arizona, Tennessee Walking Horse Association of California, West Coast Walking Horse Trainers Association and Tennessee Walking Horse Breeders and Exhibitors Association. I am privileged to be able to contribute my professional skills to the betterment of this wonderful horse. I am here today to address the USDA as an owner of and Tennessee Walking Horse enthusiast, and an administrator experienced in regulatory compliance.

USDA Listening Session Questions

1. Congress passed the Horse Protection Act in 1970 to eliminate the cruel and inhumane practice of soring horses. How close are we to achieving the goal? There are predominately five HIO's that inspect both pleasure and performance horses (PRIDE, SHOW, KY, WHOA and HOA) and the average compliance rate for these HIO's in 2011 was 98.56%. Of the 53783 horses inspected there were only 955 violations. According to the USDA Horse Protection Program DQP Show report for the Calendar year of 2011, dated 03/17/12, which included all HIO's (this was obtained from the USDA website), there were 84023 inspections of horses with 1111 reported violations, or a compliance rate of 98.68%. These are pretty impressive compliance rates, with a variance of 0.12% between the five above identified HIO's and total numbers inclusive of all HIO's. Eliminating soring of horses and achieving 100% compliance is an admirable, though unrealistic goal. I make this statement based upon the following:

- The OIG audit of 2011 stated "Because inspections are performed by hand their quality and results can vary greatly." Quite simply, there is a difference between a subjective assessment and objective testing. Until science develops the necessary testing which can accurately and objectively detect abnormalities, 100% compliance will not be achieved. Compliance and violation rates will only be as accurate as the detection methodology.
- The numbers mentioned above are of affiliated events. The compliance/ violation rates are unknown for the unaffiliated events.
- Whenever there is competition people want to win. I believe the majority of

people have the core values that appreciate competition. Unfortunately, there will always be those few that are looking for the “edge”. Those few individuals corrupt the event for all. This is why we have drug testing of athletes both professional and amateur, in many athletic arena’s and events.

2. Can the Industry achieve a consensus on how to carry out a self regulatory program to enforce the Horse Protection Act in a consistent way? In November 2011 several Tennessee Walking Horse Organizations (Tennessee Walking Horse Breeders and Exhibitors Association, Walking Horse Trainers Association, Walking Horse Owners Association and Tennessee Walking Horse National Celebration) have identified representatives and formed the Unity Committee. This committee has and is seeking input from the HIO’s in the enforcement of the Horse Protection Act. I am a member of The Enforcement Committee of the Tennessee Walking Horse Breeders and Exhibitors Association. The Enforcement Committee has been charged with developing a Standardized Rule Book addressing many areas including: shoeing and showing standards, Inspection protocols, and DQP training. This is an ambitious project and we are diligently and methodically proceeding.

3. What responsibilities should USDA certified HIO’s have within the industry? The USDA certified HIO’s should be and currently are charged with consistent inspection of horses and enforcement of rules, the HPA and its regulations at affiliated events.

5. What can the USDA do now (and in the future) to ensure compliance? I don’t believe the USDA or any agency is capable of “ensuring” compliance, but rather can “facilitate” compliance. I believe providing clear, consistent education and communications would eliminate much of the “them against us” mentality. Setting up a punitive, adversarial relationship is counterproductive in achieving cooperation and compliance. An acknowledgement of improvement and increased compliance of the HPA by the USDA to the industry/HIO would go a long way, demonstrating goodwill.

6. What responsibilities should the USDA have within the industry with respect to enforcement and what hinders oversight of the HIO’s and/or industry? I believe the USDA has made a good start in enforcement of the HPA and oversight of the HIO’s. That being said, there is room for change and improvement.

- Standardization of DQP training regardless of which HIO. All training should occur at the same time, by the same individuals with the same communications, instructions, materials and messages being delivered. Consistency is imperative. There is absolutely no margin for variation. DQP’s should be certified by the USDA through the HIO.
- The last published OIG audits are dated 2011 for the activities prior to 2009. There is too great of a lag time in the audits, analysis and publication of such. In any industry this is an unacceptable timeframe and does not allow for an

accurate snapshot of current practices. Audits by the USDA and OIG personnel and surveyors should be performed initially annually. If an excellent rating has been achieved, the above can be performed every other year and certified as such. This does not mean required data and reports are not submitted to the USDA. Corrective action plans should be submitted by the HIO's to the USDA for below standard areas in an audit, or failure to comply with reporting requirement. However, a corrective action plan is not effective if it is not monitored and enforced. If analysis indicates a "problem" where more USDA oversight is required, i.e. the inspection process, co-inspections (USDA/HIO) would occur at the HIO's expense.

- Proficiency testing of DQP's should be conducted by the USDA annually with one additional proficiency testing conducted by the HIO annually.
- Dialog should be initiated to explore licensing/certification of trainers and farriers.
- According to the USDA statistics, the USDA attended 83 of 474 events or 17.51%, for the year 2011. These were all affiliated events. There is no published evidence of the USDA attending unaffiliated events and yet the USDA estimates that the majority of shows are unaffiliated. The documented competency of HIO's should allow for USDA attendance of nonaffiliated shows.
- Ensure that test results, analysis and interpretations are controlled. Standardization of collection and processing techniques and protocols must be developed, adhered to and monitored. Variations of environmental factors can and do affect testing results. Develop and establish like baselines for tests; i.e apple to apples, not apples to oranges.
- Proficiency testing of VMO's should also be conducted. Yes, there are instances of VMO's "making it up as they go" and not being consistent in inspection techniques.