

# Anti-doping and your health (TUEs)

We will cover:

- What TUEs are and how they can protect your health by allowing you to take medications necessary to treat a diagnosed medical condition.
- What the process is to apply for a TUE and which organization you should apply to.

# Lesson 1

## What to expect from this module

By the end of this module you should be able to:

- Identify the possible reasons to apply for a TUE.
- Describe the process to obtain a TUE from the relevant ADO at the national and international level.
- List the criteria that need to be met for a TUE to be approved.
- Explain how to appeal a TUE decision if required.

Our aim is to help you feel confident in your ability to apply for a TUE, if needed, and help you understand how a TUE provides athletes with an exemption to receive necessary medical treatment.

## Lesson 2

### Medical conditions and TUEs

#### What is a TUE?

You are aware that certain substances and methods are banned in sport. And that you can find these in the Prohibited List (List).

But what happens if you need to take a medication that contains a banned substance or use a banned method because:

- You have a medical condition.
- There is an emergency or you require an urgent treatment to treat a medical condition.

TUEs allow athletes who have a legitimate medical condition to continue their participation in sport in a way that still protects the rights of all athletes to clean sport.

#### Who approves TUEs?

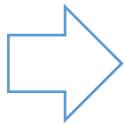
IFs and NADOs



Code Signatories, such as, International Federations (IFs) and National Anti-Doping Organizations (NADOs) are required to have a TUE process in place.

## TUE

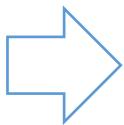
### Committee(TUEC)



Ifs or NADOS establish a panel of physicians called a TUE Committee(TUEC) who are responsible for reviewing TUE applications. The TUEC will make the decision to approve or refuse a TUE application.

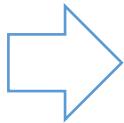
## Major Event

### Organizations(MEOs)



Major Event Organizations (MEOs) may also approve or refuse TUEs for their specific events. However the decision made by the MEO is only valid for that specific events.

## TUE recognition



The Code allows for 'recognition' of TUEs. This means that one Anti-Doping Organization (ADO) can choose to accept a TUE approved by another ADO-so that you don't have to apply twice for the same condition and medication or treatment. Not all ADOs accept TUEs from other ADOs, so you should check their website or ask them to confirm if they will accept a pre-existing TUE or if your athlete needs to apply for a new once.

## How do you know if you need a TUE?

If you have a medical condition and need to take a medication then the first thing to do is to check if that medication contains any banned substances.

So, with your physician, check any medication before you take it against the Prohibited List (List).

\* Guidance on how to check the List can be found in the Guide to the Prohibited List module.

If the medication does not contain banned substances or the treatment is not a banned method, you can use the medication or have the treatment without a TUE.

If the medication contains a banned substance, or the treatment is a banned method, you may need to apply for a TUE.

## Which organization should you apply to?

I am an international level athlete(as defined by your IF).

I am a national-level athlete.

I am or I will compete at a Major Event, such as the Olympic or Paralympic Games.

You should apply to your IF.

You should apply to your NADO.

You should apply to the Major Event Organizer(MEO).

# Lesson 3

## The process to obtain a TUE

There are two ways to obtain a TUE:

- In-advance
- Retroactively

As a general rule, if you need a TUE you should always apply for one as soon as possible. **Retroactive** TUEs are **exceptions** and only apply under specific circumstances.

### In-advance TUEs



You need to apply for a TUE with your NADO or IF before you use the medication.



- To apply for a TUE in advance you need to get a TUE application form. This should be available on your ADO's website.
- Together with your physician you need to complete the TUE form as well as provide the necessary medical evidence.
- Once complete, you submit this to your ADO.

For substances banned in-competition only, you should apply at least 30 days before your next competition, unless it is an emergency or an exceptional circumstance.

Remember – Your health is always a priority. There are situations where you may be allowed to apply for a retroactive TUE after starting the medication.

### **What you need to include in your TUE application?**

For a TUE application to be considered the form must be complete and contain as much medical information as needed.

Your TUE application must:

- Have the diagnosis clearly stated
- Include the appropriate medical documentation to substantiate that diagnosis(lab reports, imaging etc.)

- Include the dosage, route of administration and duration of treatment
- Be sent to the appropriate ADO or entered directly in ADAMS (WADA's international database system, if national or international level athlete)

Important: When submitting a TUE application, it is essential that:

- Your medical documentation is prepared by a physician or other medically qualified person who has the required medical knowledge to summarize the medical information.
- For example, if your TUE application is for a diagnosis of diabetes, a specialist in the management of diabetes could help you to prepare the information.
- Or if the application is for Attention Deficit Hyperactivity Disorder (ADHD), ideally a psychiatrist or other physician who specializes in the treatment of ADHD should prepare your medical information including the results of any diagnostic tests.

Once your application is received it will be reviewed by a TUE Committee (TUEC).

The TUEC will assess the TUE application against the following 4 key criteria.

#### Criteria 1

- It is necessary treatment for a diagnosed medical condition.

#### Criteria 2

- It's unlikely that the treatment will improve your performance.

#### Criteria 3

- There is no reasonable therapeutic alternative to the use of the otherwise prohibited substance or method.

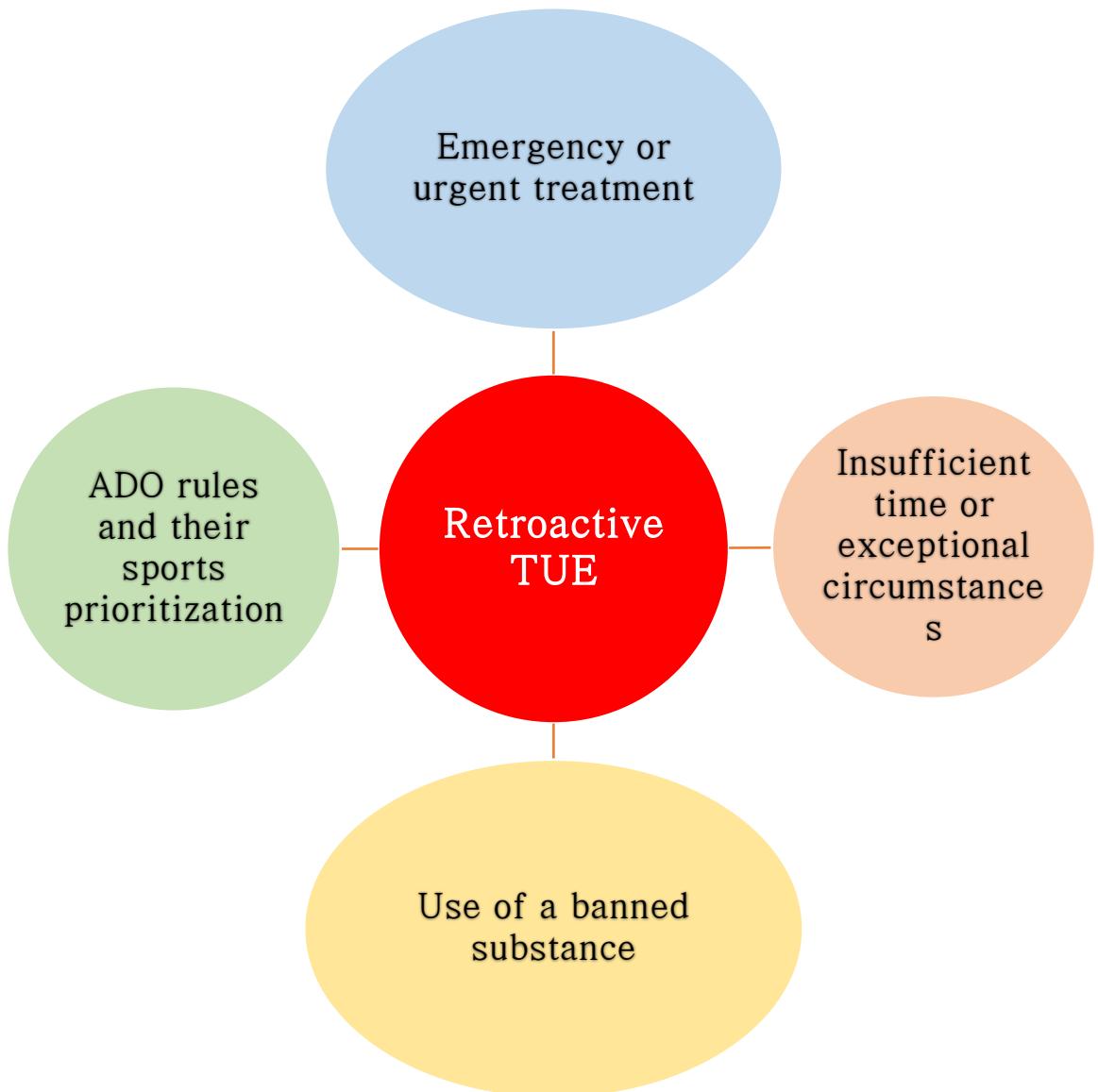
#### Criteria 4

- The requirement to use the substance or method is not due to the prior use of the substance or method without a valid TUE.

## Retroactive TUE

For some levels of athletes, and in some specific circumstances, a TUE may be applied for after an athlete has started the treatment or after they were tested.

You can apply for a retroactive TUE if:



### Emergency or urgent treatment:

You needed emergency or urgent treatment for a medical condition and you needed to take a medication with a banned substance.

### ADO rules and their sports prioritization:

The anti-doping rules of your NADO or IF, or their sport prioritization process, allows you to apply for a TUE retroactively because of your sport or the level you are competing at.

### Insufficient time or exceptional circumstances

There was insufficient time, opportunity or an exceptional circumstance that prevented you from applying for a TUE before being tested.

### Use of a banned substance:

You tested positive after taking out-of-competition, a medication that contained a substance banned only in-competition.

If one of the above scenarios occurs, this allows you to retroactively apply for a TUE. However, it does not mean that your TUE will automatically be approved.

For your TUE to be approved by a TUEC the 4 criteria must still be met.

In exceptional circumstances, you may apply for and be granted a retroactive TUE if it would be very unfair not to do so. In such cases, the 4 criteria for approving a TUE do not need to be met. Remember that this is exceptional and all cases will be assessed on a case-to-case basis.

## Important:

- If your TUE is approved (either in-advance or retroactively) then you will receive a TUE Certificate.
- All approved TUEs are only valid for a specific duration. Your TUE certificate will have an expiry date. This means that after this date the TUE certificate is no longer valid, and you do not have an exemption to continue to use the banned substance.
- If you need to continue using the medication that contains a banned substance after your TUE has expired then you must apply for a new TUE.
- Also, if you are training or competing abroad and you have a TUE, check that your TUE is valid for the duration of your stay or your competition. It may be difficult to get the help you need to apply for a new TUE if yours expires.
- And remember, if you are tested and you do not have a valid TUE, then you could be at risk of an Anti-Doping Rule Violation.

So yes, once the athlete submits his application to the NADO, the NADO TUEC will review it and will consider if the 4 criteria are met.

The TUEC will approve or refuse the TUE and will notify Mia within 21 days and report the decision in ADAMS.

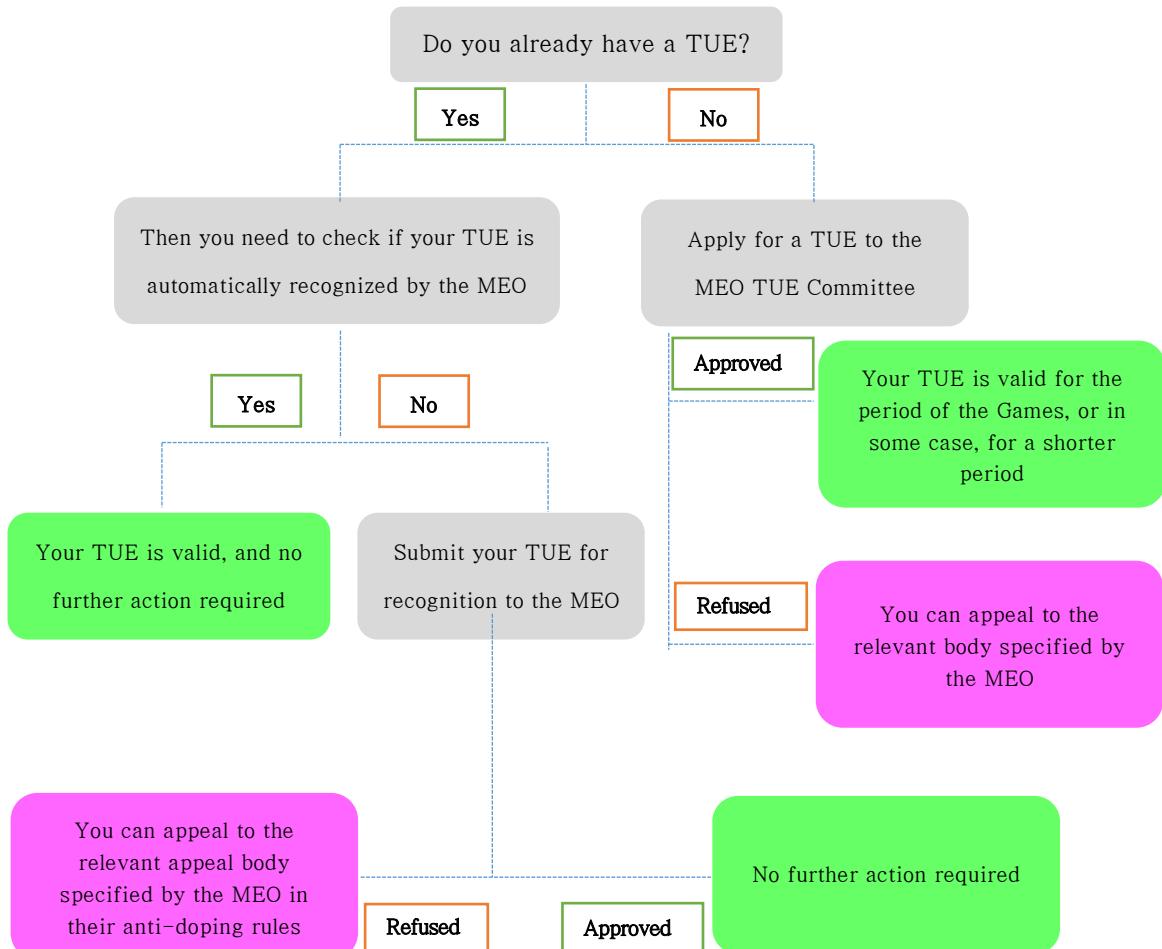
# Lesson 4

## TUEs at Major Events

Now, what happens if you are going to a Major Event, such as the Paralympic Games or the Olympic Games, and you need a TUE?

Major Event Organizations (MEOs) oversee the TUE process at their events.

If you need a TUE for, or during, a Major Event, then you need to find out some key information.



## Lesson 5

### How to appeal a TUE decision?

If your TUE is refused, you have the right to request a review or an appeal of the decision.

The appeal body will depend on who the TUE application was submitted to:

**NADOs:** National-level appeal body

**IFs:**

- You or your NADO, can request that WADA reviews an IF decision to not approve or recognize your TUE.
- You can appeal to the Court of Arbitration for Sport (CAS).

**MEO:** You can appeal to the MEO appeal body.

## Before you go

So, before you go, what are the main things you need to take from this course?

- TUEs exist to protect the spirit of sport and the right for all athletes to fair competition.
- Before you take any medication you must check it against the Prohibited List (List)
- Tell your medical personnel that you are under the jurisdiction of the anti-doping rules.
- If you need a TUE, check which organization you need to apply to.
- For a TUE to be approved, it must meet the 4 criteria.
- Keep a copy of your TUE certificate in your kit bag and remember that your TUE will expire – don’t get caught and if necessary apply for a new one.