



## GUIDE TO STANDARD THERAPEUTIC USE EXEMPTIONS (TUE) APPLICATIONS

**Approval body for applications:** FISA

**Athlete level:** International Athlete

**Substances:** For the use of a substance prohibited by **WADA** on the **2007 Prohibited List** (other than substances requiring an abbreviated TUE application)

**Preamble:** The conditions to meet to obtain a Therapeutic Use Exemption are clearly defined by WADA in the **INTERNATIONAL STANDARD FOR THERAPEUTIC USE EXEMPTIONS**.

*4.2. The Athlete would experience a significant impairment to health if the Prohibited Substance or Prohibited Method were to be withheld in the course of treating an acute or chronic medical condition.*

*4.3. The therapeutic use of the Prohibited Substance or Prohibited Method would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition. The use of any Prohibited Substance or Prohibited Method to increase “low-normal” levels of any endogenous hormone is not considered an acceptable therapeutic intervention.*

*4.4. There is no reasonable therapeutic alternative to the use of the otherwise Prohibited Substance or Prohibited Method.*

*4.5. The necessity for the use of the otherwise Prohibited Substance or Prohibited Method cannot be a consequence, wholly or in part, of prior non-therapeutic use of any substance from the Prohibited List.*

**Medical doctors should make sure the conditions have been met before sending a TUE application form to FISA.**

1. In accordance with article 4.4.2. of **FISA Antidoping Rules**, all athlete of international level
  - 1.1. included by FISA in the FISA's Registered Testing Pool (RTP) and /or
  - 1.2. prior to their participation in
    - 1.2.1. a World Cup Regatta
    - 1.2.2. a World Championship
    - 1.2.3. an Olympic Qualification Regatta

must submit to FISA a Standard TUE application (TUE) for the use of a substance which is on the *Prohibited List* published by WADA.

Standard Applications are not to be used for applications to use

- beta-2 agonists and/or
- glucocorticosteroids (by inhalation, nasal spray, eye and ear drops, peri- or intra-articulars injections, iontophoresis and anal topical preparations)

unless an athlete's previous ATUE application for either of these has been cancelled and the athlete is re-applying to FISA for a TUE.

The current **FISA's Registered testing Pool** can be found on the FISA anti-doping website.

***Note: All other athletes (non-international) must apply to their National Anti-Doping Organisation for a TUE approval. This may be either the National Federation, or the National Anti-Doping Organisation.***

*A TUE granted for a national level athlete, shall be effective only for the purposes of competitions other than those listed in the List of International Competitions referred to above. If the athlete concerned subsequently becomes an International-Level athlete or seeks to compete in an International Competition, he must submit a further TUE application directly to FISA. If the athlete does not submit such a TUE application and subsequently tests positive at an International Competition for the prohibited substance for which he applied for a TUE at national level, this shall nevertheless be considered by FISA to be an adverse analytical finding and the athlete shall be subject to an investigation for an anti-doping rule violation.*

2. The athlete should submit an application for a TUE no less than 21 days before participating in a competition.
3. The TUE application must be submitted to FISA and approved by FISA prior to the substance being used by the athlete.
4. A TUE application must be submitted to FISA notwithstanding that the athlete may previously have submitted a TUE application to his national federation or his National Anti-Doping Agency.

#### **☞ TUE Application to FISA**

5. The TUE application must be submitted to FISA on the **FISA's TUE Standard Application Form**. It is recommended that a copy of the Standard Application Form is also sent to the athlete's Team Doctor.
6. The Standard TUE application submitted to FISA must be complete. It will be considered to be complete if

- 6.1. it is legible
- 6.2. all boxes on the Standard TUE Application Form have been properly filled
- 6.3. it is accompanied by all supporting medical documents required by the FISA required as follows:
  - 6.3.1. A comprehensive medical history and the results of an examinations, laboratory investigations and imaging studies relevant to the application;
  - 6.3.2. A statement by an appropriately qualified physician attesting to the necessity of the otherwise prohibited substance in the treatment of the athlete and describing why an alternative, permitted medication cannot, or could not, be used in the treatment of such condition.
  - 6.3.3. The dose, frequency, route and duration of administration of the otherwise prohibited substance in question must be specified in the application.

Both the Standard TUE Application Form and the supporting medical documents must be submitted to FISA in either English or French.

7. On receipt of a TUE application by FISA, the application shall be reviewed for its completeness. The Standard TUE Application Form and all supporting medical documents shall be treated in strict confidence for this purpose.

#### **☞ Incomplete Applications**

8. If the Standard TUE application is incomplete either because
  - 8.1. the Standard TUE Application Form has not been properly filled in (in English or French)
  - 8.2. it does not attach the supporting medical documents required (in English or French)the application shall be returned to the athlete. If the Standard TUE application is illegible, it shall also be considered incomplete and returned to the applicant. That's why athletes and doctors are therefore warned to take great care in completing the Standard TUE application and to check, prior to its dispatch to FISA, that all the necessary medical documents are attached. Athletes are recommended to seek specialist medical advice if they are unsure about any specific documents that are required to be submitted.
9. If a Standard TUE application is returned as **incomplete**, and the athlete still wishes to apply for a TUE, he shall be required to re-submit his application to FISA in a legible form and with the missing information/documents stipulated.

#### **☞ Standard TUE Application is complete**

10. If the Standard TUE application is complete, FISA shall acknowledge receipt of the TUE application and submit it for review by the FISA TUE Panel.
11. The athlete shall be informed that in the meantime he will have no effective TUE on file at FISA.

#### **☞ Review of complete applications and decision by FISA TUE Panel**

12. Prior to taking a decision, the FISA TU Panel may:

- 12.1. require that additional relevant investigations, examinations or imaging studies be undertaken by the athlete (at his expense) or
  - 12.2. seek from external, independent experts (including where appropriate, the WADA TUE Panel and/or the I.O.C. TUE Panel) any additional medical or scientific advice as it may deem to be necessary; or
  - 12.3. refer to the Council for its opinion or guidance on the application or on a matter of general policy that has arisen.
13. The FISA TUE Panel shall reach a decision on the TUE application and shall communicate the decision in writing
- 13.1. to the athlete
  - 13.2. to the athlete's national federation
  - 13.3. to WADA.
14. FISA may attach any requirements or conditions to the granting of the TUE as it deems to be appropriate.
15. Each TUE granted will be for a specified duration.
16. WADA may review the granting of all TUEs, in accordance with the **Code**, Article 4.4

☞ **Appeal of decision by the FISA TUE Panel to deny a TUE application**

17. The decision of the FISA TUEC to deny a TUE application may be appealed by the athlete to WADA in accordance with the Code, Article 4.4

☞ **Cancellation of TUE by FISA TUE Panel**

18. A TUE which has been granted by the FISA TUE Panel will be cancelled if:
- 18.1. the athlete does not comply with any requirements or conditions imposed on the granting of the TUE by the FISA TUE Panel.
  - 18.2. the term for which the TUE was granted by the FISA TUE Panel has expired.
  - 18.3. the athlete is advised that the granting of the TUE by the FISA TUE Panel has been withdrawn for any other reason.
19. If a TUE is cancelled by the FISA TUE Panel, the cancellation shall take immediate effect on its notification to the athlete by registered mail at the address stated on the TUE Application Form. The cancellation shall also be notified to the athlete's National Federation and to WADA.

Note: Changes to this TUE Guide may be necessary from time to time. Always refer to the FISA website for the most up to date version.