

**WMRA Therapeutic Use Exemption (TUE) Regulations**  
(updated on May 2010)

**Introduction**

Athletes with a documented medical condition requiring the use of a prohibited substance or prohibited method in the Prohibited List, and intending to take part in a WMRA Competition, must first obtain a WMRA TUE.

An application for a WMRA TUE for the use of a prohibited substance or a prohibited method is required for the use of the substances and methods listed in the Prohibited List as being prohibited at all times and for the use of the substances and methods listed as being prohibited in-competition only .

An application for a TUE for the Use of a Prohibited Substance or a Prohibited Method is required:

- (a) Out-of-Competition - for the Use of the substances and methods listed in the Prohibited List as being prohibited at all times (see S1-S5 and M1-M3 of the Prohibited List); and
- (b) In-Competition - for the Use of the substances and methods listed in the Prohibited List as being prohibited at all times (see S1-S5 and M1-M3) and for the Use of the substances and methods listed as being prohibited In-Competition only (see S6-S9).

A TUE is required for the Use of all beta-2 agonists (S3) except salbutamol and salmeterol by inhalation.

A TUE is only required for the Use of all glucocorticosteroids (S9) by a systemic route.

Salbutamol and salmeterol by inhalation and glucocorticosteroids by non systemic routes do not require a TUE. However, their use should be declared on the doping control form.

**WMRA TUE Commission**

Applications for a TUE must be submitted to the WMRA anti-doping commission administrator hereinafter called the Administrator) in accordance with the procedures set out below.

Athletes in possession of a TUE from their national athletic federation who intend to enter WMRA competitions must submit their authorized TUE to the administrator before competing. These TUE's will be automatically accepted by the Administrator.

All applications for a WMRA TUE will be reviewed by a medically qualified member of the Commission.

## **Confidentiality of Information**

The members of the Commission involved in the administration of WMRA TUE applications under these Procedural Guidelines shall conduct their activities in strict confidence. All members of the Commission will sign confidentiality agreements. In particular, the following information shall be kept confidential:

- (i) all medical information and data provided by the athlete and physician(s) involved in the athlete's care;
- (ii) all details of the application including the name of the physician(s) involved in the process.

Should the assistance of external, independent experts be required, all details of the application will be circulated without identifying the athlete involved.

Should the athlete wish to revoke the right of the Commission to obtain any health information on his behalf, the athlete must notify his medical practitioner in writing of the fact. As a consequence of such a decision, the athlete will not receive approval for a WMRA TUE or renewal of an existing TUE.

## **TUE Application procedure**

A TUE application to the WMRA must be submitted on the WMRA TUE Application form (see appendix 6 )

A TUE application for the use of a prohibited substance or a prohibited method in-competition must be submitted to the WMRA no less than 10 days before the athlete participates in the competition in question.

A standard TUE application will not be considered for retroactive approval except in cases where:

- (i) emergency treatment or treatment of an acute medical condition was necessary, or
- (ii) due to exceptional circumstances, there was insufficient time or opportunity for an applicant to submit an application, or for an application to be reviewed, prior to the athlete submitting to doping control.

The TUE application must be legible and complete. It will only be considered to be complete if all boxes on the WMRA TUE Standard Application Form have been properly filled in and if it is accompanied by all supporting medical documents as follows:

- (i) a comprehensive medical history and the results of all examinations, laboratory investigations and imaging studies relevant to the application;
- (ii) a statement by an appropriately qualified physician attesting to the necessity of the otherwise prohibited substance or prohibited method 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; and

- (iii) the dose, frequency, route and duration of administration of the otherwise prohibited substance or prohibited method in question must be specified in the application.

The TUE application must list any previous and/or current requests for permission to use an otherwise prohibited substance or prohibited method, the body to whom that request was made, and the decision of that body.

Any additional relevant investigations, examinations or imaging studies that may be requested will be undertaken at the expense of the applicant or his National Federation.

The applicant for a standard TUE must provide written consent in his application for the transmission of all information concerning the application to members of the Commission and, as required, other independent medical or scientific experts involved in the management, review or administration of TUE's.

The applicant must also provide written consent for the decision of the Commission as regards his TUE application to be notified to other relevant organizations.

### **Criteria for granting Standard TUE Applications**

All TUE applications, providing that they are legible and complete, shall be referred for adjudication by the Commission

TUE applications will be granted by the Commission only in cases of clear and compelling need in strict accordance with the following criteria:

- (i) that the athlete would experience a significant impairment to his health if the prohibited substance or prohibited method was to be withheld in the course of treating an acute or chronic medical condition.
- (ii) that 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 or physiological blood parameter is not considered an acceptable therapeutic intervention.
- (iii) that it is possible without undue difficulty to monitor or control the dose, frequency, method of administration or other aspect of the use of a prohibited substance or prohibited method that may otherwise permit an enhancement of performance other than a return to a state of normal health;
- (iv) that there is no reasonable therapeutic alternative to the use of the otherwise prohibited substance or prohibited method.

- (v) that the necessity for the use of the otherwise prohibited substance or prohibited method is not a consequence, either wholly or in part, of a prior non-therapeutic use of any prohibited substance on the Prohibited List.
- (vi) in no circumstances, shall a TUE be granted to an athlete if the Commission considers that he would thereby gain a competitive advantage over another athlete.

#### **Decision of the Commission in standard TUE applications**

The decision of the Commission in respect of a TUE application will be conveyed to the athlete in writing, with a copy sent to his National Federation, the relevant national anti-doping organization (if appropriate). Where a TUE has been granted, the athlete will be provided promptly with a certificate of approval confirming the duration of the TUE and specifying any requirements or conditions that may have been attached to the granting of the TUE by the Commission.

#### **Cancellation/Expiry of standard TUEs**

A TUE will be cancelled if:

- (i) the athlete does not comply with any requirements or conditions imposed on the granting of the TUE by the Commission.
- (ii) the term for which the TUE was granted by the Commission has expired.
- (iii) the athlete is advised that the granting of the TUE by the Commission has been withdrawn.