

THE ISSF INFORMATION PORTAL ON DOPING

In this edition of the IPOD we revisit the fundamental elements of the ISSF TUE application process for the benefit of all ISSF athletes and their National Anti-Doping Organizations.

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“IPOD”

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What is a TUE?

Athletes may have illnesses or conditions that require them to take particular medications or to utilize particular methods of treatment. If the medication an Athlete is required to take to treat an illness or condition happens to fall under the Prohibited List, a Therapeutic Use Exemption (TUE) gives that Athlete the authorization to take the needed medicine so long as the Athlete fulfills all the mandatory criteria to do so.

What are the criteria you must fulfill in order to obtain a TUE?

The purpose of the International Standard for Therapeutic Use Exemptions (ISTUE) is to ensure that the process of granting TUEs is harmonized across sports and countries. According to article 4.1 of the ISTUE, an Athlete may be granted a TUE if (and only if) he/she can show, by a balance of probability, that each of the following conditions is met:

- a. The Prohibited Substance or Prohibited Method in question is needed to treat an acute or chronic medical condition, such that the Athlete would experience a significant impairment to health if the Prohibited Substance or Prohibited Method were to be withheld.*
- b. The Therapeutic Use of the Prohibited Substance or Prohibited Method is highly unlikely to produce any additional enhancement of performance beyond what might be anticipated by a return to the Athlete's normal state of health following the treatment of the acute or chronic medical condition.*
- c. There is no reasonable Therapeutic alternative to the Use of the Prohibited Substance or Prohibited Method.*
- d. The necessity for the Use of the Prohibited Substance or Prohibited Method is not a consequence, wholly or in part, of the prior Use (without a TUE) of a substance or method which was prohibited at the time of such Use.*

When should you apply for a TUE?

In general, unless exceptional circumstances apply, an ISSF Athlete who needs to use a Prohibited Substance or Prohibited Method for Therapeutic reasons must obtain a TUE from ISSF or have a National-level TUE recognized by ISSF prior to using or possessing the substance or method in question – and this should be done 30 days prior to competing at the international-level.

To which organisation should you send you TUE application form?

Pursuant to the ISSF Anti-Doping Rules, *International-Level Athletes*, defined as “athletes who possess an ISSF ID” must obtain a TUE from the ISSF prior to competing at the international-level.

What if you have a national-level TUE?

If an Athlete already has a TUE granted by his or her National Anti-Doping Organization (NADO) for the substance or method in question, that TUE is not automatically valid for international-level Competition.

But, if the Athlete has obtained a TUE from his or her NADO, the Athlete may apply to the ISSF to recognize that TUE, in accordance with Article 7 of the ISTUE.

This is a fairly simple process that typically results in a TUE being recognized and granted for the purpose of International level competitions.

ü If the national level *TUE* meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then the ISSF shall recognize it for purposes of international-level *Competition* as well.

ü In the event of a renewal, athlete must still request ISSF's recognition of the TUE.

What happens if ISSF refuses to recognize your national-level TUE?

If the ISSF considers that the TUE does not meet the criteria of the ISTUE and refuses to recognize your national level TUE, the ISSF shall promptly notify the Athlete and his or her NADO with reasons.

The Athlete and the NADO shall have 21 days from such notification to refer the matter to WADA for review a review.

ü If the matter is referred to WADA for review, the TUE granted by the National Anti-Doping Organization remains valid for national-level Competition and Out-of-Competition Testing - but is not valid for international-level Competition - pending WADA's decision.

ü If the matter is not referred to WADA for review, the TUE becomes invalid for any purpose when the 21-day review deadline expires.

What if you compete in the Junior Categories?

The same principles apply as above. If you are a Junior competing in an international event, even if it is a Junior event, and if you have an ISSF ID, you are considered an International Level Athlete.

Therefore, you must obtain a TUE from ISSF, or a recognition of your national-level TUE from ISSF, prior to competing in an ISSF competition.

What about Athletes who are not International Level Athletes?

If ISSF chooses to test an Athlete who does not hold an ISSF ID and is neither an International-Level nor a National-Level Athlete, whether out-of-competition or in-competition at a national or international level event other than an ISSF sanctioned competition, ISSF shall permit that Athlete to apply to ISSF for a retroactive TUE for any Prohibited Substance or Prohibited Method that he/she is using for therapeutic reasons.

What is the procedure for receipt and processing of TUEs ?

Doris Fischl, the ISSF Anti-Doping Administrator, shall directly receive all TUE application for "International-level Athletes" and all request for recognition of national-level TUEs by email doris@issf-sports.org. ADAMS may also be used to this end.

The Form can be downloaded here:

[https://www.issf-sports.org/getfile.aspx?mod=docf&pane=1&inst=29&iist=65&file=ISSF Therapeutic Use Exemptions Application Form - TUE.pdf](https://www.issf-sports.org/getfile.aspx?mod=docf&pane=1&inst=29&iist=65&file=ISSF%20Therapeutic%20Use%20Exemptions%20Application%20Form%20-%20TUE.pdf)

Upon receipt of the TUE application or recognition request, the ISSF Anti-Doping Administrator shall process the application (s).

Should the application form not be properly filled out, or should mandatory medical documentation be missing, the Athlete/NADO shall be so informed, and the TUE application will not be accepted or recognized until adequately submitted.

Once a TUE application or recognition application has been duly received in proper form, the TUE application will be directed to the ISSF TUE Committee who will process the application.

As soon as the decision is made, the Athlete will be informed if the TUE has been granted or denied.

In accordance with article 4.4.6 of the ISSF Anti-Doping Rules, if the TUE is denied, the Athlete will be given the opportunity to appeal for a review of that decision before the WADA TUE Committee.

How do I know if I need a TUE?

First of all, you always have to tell your treating physician that you are an athlete, that you are subject to the WADA Prohibited List and that you cannot use any medication on the Prohibited List without first obtaining a TUE.

If there is a non-prohibited alternative medication to the medication you are being prescribed – you should take the non-prohibited alternative instead. This is especially so for beta blockers.

There are a variety of resources available to all athletes to allow them to determine what is prohibited and for which medication a TUE is required.

It is recommended among others to:

- Carefully read the list of ingredients on the label and cross reference them with the WADA Prohibited List.
- If you are unsure of an ingredient try to find alternate names for the same and cross reference it to the Prohibited List.
- Contact your National Anti-Doping Organisation for their assistance in your language
- Verify if your medication is banned by consulting the Global DRO <https://www.globaldro.com/CA/search> and other online search engines
- Conduct on-line searches
- Consulting a physician, nutritionist, dietician etc.

What if its an emergency?

If you have a medical emergency that requires urgent treatment, an Athlete's health comes first. In such a case, you can apply for a retroactive TUE after the fact.

If you have any questions about the TUE process or any other anti-doping related question for the next edition of the IPOD please direct them to Doris Fischl doris@issf-sports.org