



# **IFI REGULATIONS FOR THERAPEUTIC USE EXEMPTION (TUE)**

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## **Introduction and Scope**

The IFI TUE regulations are mandatory regulations supplementing the IFI Anti-Doping Code (ADC).

## **The objective of the IFI TUE regulations is to institute**

- a. the conditions that must be fulfilled in order for a TUE to be granted, permitting the presence of a prohibited agent in an athlete sample, possession and/or administration of a prohibited substance or prohibited method for therapeutic reasons
- b. the responsibilities imposed on the IFI as a condition for granting and communicating TUE decisions
- c. the administrative procedure for an athlete to apply for a TUE
- d. full confidentiality throughout the TUE process

The IFI states that a TUE process is required in all IFI-conducted events, such as World Championships, European Championships and European Cups.

### **IFI TUE Provisions**

1. An athlete who is not an international-level athlete should apply to his/her National Anti-Doping Organization (NADO) for a TUE. If the NADO refuses the application, the athlete may appeal to the national-level appeal body.
2. An athlete who is not listed in a national testing pool or in a registered testing pool should also apply to his/her NADO for a TUE.

3. Where the athlete has already been granted a TUE by his/her NADO for a substance or method in question and that TUE meets the criteria set out in the IFI ADC, the IFI shall recognize it. If the IFI considers that the TUE does not meet the criteria and refuses to recognize it, it shall notify the athlete and the NADO in question promptly, giving reasons. The athlete and the affected NADO shall have 21 days from such notification to refer the issue to WADA for review. If the matter is not referred to WADA the TUE becomes invalid for any purpose upon expiry of the 21-day review deadline.
4. Any athlete who wishes to participate in an international event must, prior to such participation, obtain recognition of a TUE already granted by his/her NADO from the IFI in accordance with the IFI ADC.
5. If the need for a TUE arises during an international event, the athlete may apply directly to the IFI.
6. An athlete who is an international-level athlete must apply to the IFI for a TUE.
7. The IFI shall appoint a TUE Committee (TUEC) to consider applications for the granting or recognition of TUEs in line with the IFI ADC. Its decisions shall be the final decision for the IFI and reported to WADA through ADAMS for review.

## **Process for Granting TUEs**

1. If there is a need to treat an acute or chronic medical condition and a prohibited substance or method is inalterable and the athlete would experience a significant impairment to health if the prohibited substance or method were to be withheld, a TUE may be granted.
2. The therapeutic use of the prohibited substance or method is ineligible 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.
3. There is no reasonable therapeutic alternative to the use of the prohibited substance or method.
4. An application for a TUE will only be considered for retroactive approval if emergency treatment for an acute medical condition was necessary.
5. An application for a TUE prior to sample collection is possible under other exceptional circumstances, specifically that there was insufficient time or opportunity to submit an application or for the TUEC to consider such application.
6. It is agreed by the IFI that fairness requires the granting of a retroactive TUE.

## **TUE Responsibilities of the IFI**

1. The list of athletes who are international-level athletes in the IFI's Registered Testing Pool and therefore required to obtain a TUE from the IFI is published on the IFI website.
2. It is the responsibility of the NADOs to make TUE decisions in respect of athletes who are not international-level athletes. IFI will recognize these TUEs if they meet the criteria.
3. The TUEC shall be composed of three members. The deputy chairperson shall replace the chairperson if the latter is unavailable or faces a conflict of interest. The TUEC shall decide unanimously.
4. The members of the TUEC shall be medical doctors with experience in the treatment of athletes and a knowledge of clinical medicine. All TUEC members are required to sign a conflict of interest and confidentiality declaration and shall not take part in the examination of a TUE application involving an athlete of their own nationality.

## **TUE Application Process**

1. The athlete should submit the TUE application form to the IFI via ADAMS by post or e-mail. The form must be completed legibly.
2. This form has to be accompanied by the statement of a qualified physician, attesting to the need for the athlete to use the prohibited substance or prohibited method in question for therapeutic reasons. The dosage, frequency, route and duration of administration must be specified. A comprehensive

medical history and the results of all examinations, laboratory investigations and (where possible) relevant imaging studies must be provided. Incomplete applications will be returned to the athlete for completion. Providing false or misleadingly incomplete information may constitute an anti-doping rule violation.

3. An athlete may not apply to more than one ADO for a TUE. The application must list any previous and/or current requests for permission to use an otherwise prohibited substance or prohibited method, the body to which the request was made and the decision of that body.
4. The TUEC must use its best endeavors to issue its decision before the start of the event. Decisions shall be communicated by email wherever possible.
5. The decision to deny a TUE application must include an explanation of the reasons.
6. Each TUE will have a specified duration.
7. In such case as an athlete requires, after a TUE is granted, a change of dosage, frequency, route or duration of administration of the prohibited substance or prohibited method to that specified in the TUE, he/she must apply for a new TUE.

### **TUE Recognition Process**

1. The IFI shall recognize TUES granted by NADOS under the specified provisions. If an athlete already has a TUE granted by a NADO he/she should not submit an application for a new TUE to the IFI. The IFI will make a statement to this effect on

the IFI website and provide that such TUE decisions are reported via ADAMS and are therefore available for review by WADA.

2. The decision to recognize a TUE delivered at national level shall be taken by the TUEC chairperson or a member appointed by him/her.

### **Confidentiality of Information**

1. The collection, storage, disclosure and retention of personal information during the TUE process by the IFI shall comply with the International Standard for the Protection of Privacy and Personal Information.
2. The TUE application shall be dealt with in accordance with the principles of strict medical confidentiality.

This plan shall be periodically evaluated and modified as necessary.

For the IFI Executive Board

Manfred Schäfer, President

Peter Longo, Vice President