

THERAPEUTIC USE EXEMPTION - GUIDANCE NOTE 2018

In accordance with [the IAAF Anti-Doping Rule \(paragraph 4.4\)](#) an application to the IAAF for a [Therapeutic Use Exemption](#) (TUE), is necessary whenever an international level athlete as defined in Article 1.9 of the Anti-Doping Rules, requires the use of a prohibited substance or a prohibited method listed in the [WADA Prohibited List](#). This implies that **athletes and their doctors are fully aware of prohibited substances contained in the WADA Prohibited List (reviewed at least once a year) and that they pay both particular attention to the contents of all pharmaceutical products purchased « over the counter » and/or prescribed to them.**

This document does not form part of the IAAF Anti-Doping Rules and is for guidance only. The contents of this document aim to provide the reader with clarity and guidance on TUE applications and answer any questions they may have. The IAAF Anti-Doping Rules shall always prevail should any differences or ambiguities with this guidance arise.

Do I need a Therapeutic Use Exemption? A Quick 3 Step Check =>

1. Determine the level of your competition and your RTP (Registered Testing Pool) status; Only athletes listed on the [List of Athletes in the IAAF RTP](#) and/or competing at one or several of the IAAF International Competitions on the [IAAF List of International Competitions for 2018 \(Rule 35.9\)](#) need to apply to the IAAF for TUE;
2. Check all your medication; researching all substances it contains, the route of administration (Methods) and cross-check its Prohibited List status against [WADA Prohibited List](#). Every athlete (whether in a RTP or not) must ensure they are aware of the substances which are **prohibited in-Competition only**, and those **prohibited at all times** (in- and out-of-competition).
3. Check the table below for a basic indication of whether a TUE application is required, and if so, to whom you should make your application =>

Athlete Status	Substances and/or Methods prohibited <i>at all times (In or Out of Competition)</i>	Additional substances prohibited <i>In-Competition only</i>
IAAF RTP and/or competing in an IAAF International Competition	Prior to using any prohibited substance or method, you must apply to the IAAF TUE Sub Commission => tue-application@iaaf.org	Prior to using any prohibited substance or method, you must apply to the IAAF TUE Sub Commission at least 30 days before the competition => tue-application@iaaf.org
National RTP	Prior to using any prohibited substance or method, you must apply to your National Anti-Doping Organisation (NADO) if this exists, otherwise to your National Federation	
All other athletes (Non-IAAF and non-National RTPs)	<i>Aside from specific exceptions, you will most probably need a TUE prior to using the substance. Apply to your National Anti-Doping Organisation, who will advise accordingly</i>	

** Note: Each athlete is personally notified of their inclusion in the Registered Testing Pool. You must never assume that you are an International-Level Athlete or that you are competing in an International Competition until checking these two points. Any TUE applications sent by athletes who do not respect one of these two conditions will be automatically rejected.*

Important: Remember that athletes are personally responsible for the presence of a prohibited substance in their body! If an athlete does not file a TUE application and subsequently is tested positive for one or several prohibited substance(s), he/she may be found guilty of an Anti-Doping Rule Violation (ADRV) under and be subject to Consequences as defined in the IAAF Anti-Doping Rules.

Frequently Asked Questions.

➤ *When should I apply to the IAAF?*

A TUE application for the use of a substance prohibited **in competition only**, must be submitted to the IAAF **at least 30 days before the competition** in question.

A TUE application required **at all times** (in and out of competition), must in any event, be submitted **before the use of the prohibited substance and/or method**.

Please note that a TUE application will not be considered for retroactive approval except in exceptional cases where:

- a) Emergency treatment or treatment of an acute medical condition was necessary, or
- b) Due to exceptional circumstances, there was insufficient time or opportunity for an athlete to submit an application, or for an application to be reviewed, prior to the doping control.
- c) The applicable rules required the Athlete or permitted the Athlete to apply for a retroactive TUE, or
- d) It is agreed, by WADA and by the IAAF, that fairness requires the grant of a retroactive TUE

[Comment to c): Such Athletes are strongly advised to have a medical file prepared and ready to demonstrate their satisfaction of the TUE conditions set out at Article 4.1, in case an application for a retroactive TUE is necessary following Sample collection.]

[Comment to d): If WADA and/or the IAAF do not agree to the application of Article 4.3(d), that may not be challenged either as a defence to proceedings for an Anti-Doping rule violation, or by way of appeal, or otherwise.]

➤ *How do I make my application?*

A TUE application to the IAAF must be submitted on the **IAAF Application Form**. This can be downloaded from the IAAF website => in [English](#) or [French](#) (or directly on ADAMS for athletes who already have an ADAMS account).

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

- A comprehensive medical history and the results of all examinations, laboratory investigations and imaging studies relevant to the application;
- 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 a condition;
- The dose, frequency, route and duration of administration of the otherwise Prohibited Substance or Prohibited Method in question must be specified in the application and, in case of change, a new application must be submitted.

Nota Bene:

- **Substance in question should be declared under its generic name (International Common Denomination - ICD).**
- **Incomplete and/or illegible applications will be returned to the applicant.**
- **Any change of dosage, frequency etc., requires a new TUE application.**

➤ ***Who will review my application?***

Your application will be reviewed by the IAAF TUE sub-commission (TUESC) which is composed of at least three independent and experienced physicians with sound knowledge of clinical, sports and exercise medicine.

Please note that all members of the IAAF TUESC (as well as staff members from the IAAF Health and Science department who are involved) are required to maintain strict confidentiality concerning the information contained in the TUE applications referred to them.

➤ ***How long will it take?***

In normal circumstances, a decision of the IAAF TUESC should be completed within 21 days of receipt of a correctly completed application.

➤ ***Which are the criteria for granting a TUE?***

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

- 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;
- that the therapeutic use of the Prohibited Substance or Prohibited Method is highly unlikely to produce additional enhancement of performance beyond that which might be anticipated by a return to a state of normal health following the treatment of an acute or chronic medical condition;
- that there is no reasonable Therapeutic alternative to the use of the otherwise Prohibited Substance or Prohibited Method;
- that the necessity for Use is not a result, in whole or in part, of prior Use, without a TUE, of a Prohibited Substance or Method which was prohibited at that time.

➤ ***How do I know if my TUE application was granted or rejected?***

The decision of the TUESC will be notified to you in writing at the e-mail or postal address indicated on your TUE application form. A TUE **Certificate of Approval** will be attached to the notification if the TUE you applied for is granted. The IAAF Certificate will specify the substance and/or method the athlete is allowed to use (its dosage, frequency, route of administration) and the duration of the TUE. You will be required to strictly comply with the specifications contained in the IAAF TUE Certificate and to show it to the Doping Control Officer in case of a doping control.

➤ ***Who else is informed on the decision of the IAAF TUESC?***

IAAF decisions on TUE applications (and copy of the Certificate of Approval) are communicated on a need-to know basis. The athlete (or his/her representative), the World Anti-Doping Agency (WADA) and, if appropriate and/or necessary, your National Anti-Doping Organisation operating in your country. Please note that it despite the IAAF granting a TUE your National Anti-Doping Organisation may refer the decision to WADA to review it or WADA may choose to review the decision by itself.

➤ ***What happens if my application is rejected?***

You will be informed on the reason(s) for rejecting your application. Your application may simply not be legible, or incomplete. In such cases, you can resend another application immediately.

If your application is rejected because the IAAF TUESC considered that you did not fulfil all criteria for granting a TUE (see above), you can refer the IAAF TUESC decision to the WADA TUESC for review and which may reverse the IAAF TUESC's decision to deny you a TUE.

A decision to deny a TUE can also be appealed to the Court of Arbitration for Sport in accordance with Article 4.4.5 of the IAAF Anti-Doping Rules.

➤ **TUE granted at National Level and International Competition**

May we remind you that according to WADA ISTUE 5.7: *“Any TUE that an Athlete has obtained from a National Anti-Doping Organization shall not be valid if the Athlete becomes an International-Level Athlete or competes in an International Event unless and until the relevant International Federation recognizes that TUE in accordance with Article 7.0”.*

Further questions/ assistance:

- **You have another specific question in mind?** => Take a look at the featured [dedicated WADA website](#), you may easily find the answer to your question!
- **Finally, if you have any questions** arising from these Explanatory Notes or if there are any other questions regarding the relevant procedures for TUE applications under IAAF Rules, please do not hesitate to **contact the IAAF Health and Science Unit:** tue-application@iaaf.org

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