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# **Therapeutic Use Exemption (TUE)**

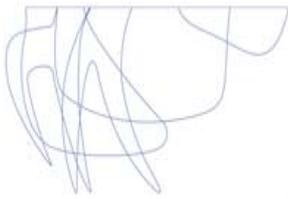
## **PROCEDURE 2012**

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### **Art. 1: Introduction and Scope**

1. One of the principles of anti-doping policies in sport is to keep the sport healthy. However, anti-doping policies are not meant to exclude people from sport because they are ill or have certain medical conditions.  
Therefore the World Anti-Doping Code and the WDSF Anti-Doping Code includes a system of Therapeutic Use Exemptions (TUE's).
2. The Anti-Doping Code permits athlete's and their physicians to apply for a TUE, i.e. permission to use, for medical therapeutic purposes, substances or methods contained in the List of Prohibited Substances or Methods where use would otherwise be prohibited.
3. This WDSF TUE Procedure includes criteria for granting a TUE by the WDSF Anti-Doping Commission, confidentiality of information and the TUE application process. The WADA International Standard for Therapeutic Use Exemptions 2010 has been taken in consideration as mandatory.
4. Decisions of other Anti-Doping Signatories which are consistent with the Anti-Doping Code and are within that signatories authority shall be recognized and respected by all other Signatories however National Anti-Doping Authorities do not have authority to grant TUE's to International Level Athletes.



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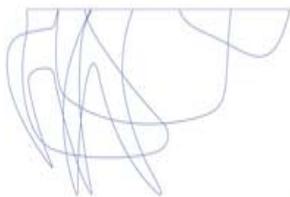


## **Art. 2: Terms and Definitions**

1. The Definitions as per art. 2, WDSF Anti-Doping Code, are reiterated and included.
2. "ADAMS" means "Anti-Doping Administration and Management System" and is a web-based database management tool for data entry, storage, sharing and reporting designed to assist stakeholders and WADA in their anti-doping operations in conjunction with data protected legislation.
2. "Therapeutic": of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.
3. "TUE": Therapeutic Use Exemption.
4. "TUEC": Therapeutic Use Exemption Committee is the Panel established by the WDSF as part of the WDSF Anti-Doping Commission.
5. "WADA" the World Anti-Doping Agency.
6. "WADA TUEC": WADA Therapeutic Use exemption Committee is the Panel established by WADA.

## **Art. 3: TUE Application Process**

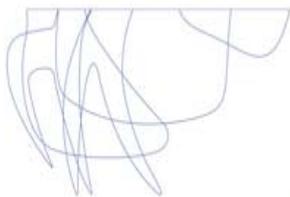
1. Following athletes shall obtain a TUE from WDSF:
  - a) athletes in the WDSF International Registered Testing Pool (IRTP);
  - b) athletes participating in an International Event, and/or included in the top 250 of the WDSF World Ranking List, for which a TUE granted pursuant to the WDSF Rules is required;
  - c) athletes that don't belong to the afore mentioned category shall obtain a TUE from their National Anti-Doping Organization (NADO).
2. An Athlete may request for a TUE only by means of submitting a completed and duly signed TUE Application Form to the Chair of the WDSF Anti-Doping Commission in accordance with this procedure, no less than thirty (30) days before he/she needs the approval. The Chair of the WDSF Anti-Doping Commission may grant a TUE strictly in accordance with this procedure and the WDSF Anti-Doping Code.
3. A TUE will only be considered following the receipt of a fully completed application form that must include all relevant documents as requested by the TUE Application Form. The application process shall be dealt with in accordance with the principles of strict medical confidentiality.
4. The "Therapeutic Use Exemptions Application Form" and the "ADAMS Certificate of Approval for Therapeutic Use" form an integral part of this procedure. The Forms can be modified by the WDSF Anti-Doping Commission to include additional requests for information providing that no sections or items shall be removed.



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5. The TUE Application Forms may be translated into other languages by the WDSF Members providing that the English text will remain and unchanged. Forms used by National Anti-Doping Organizations (NADO's) must also have an English text for acceptance by WDSF. The English text will always prevail.
6. A DanceSport Athlete included in the top 250 of WDSF's World Ranking List and in the WDSF International Registered Testing Pool should apply to the WDSF Anti-Doping Commission; he/she cannot apply for a TUE to a NADO. DanceSport athletes included in the national testing pools should apply for a TUE to their NADO. Only when the latter is not possible a national athlete should apply to the WDSF Anti-Doping Commission. The application shall identify the Athlete's level of competition and discipline.
7. The Application shall list any previous and/or current TUE requests, the body to whom the request was made, the decision of that body and the decisions of any other body on review of appeal.
8. The Application shall include a comprehensive medical history and the results of all medical examinations, laboratory investigations and imaging studies relevant to the application. The arguments related to the diagnoses and treatment, as well as duration of validity, should be guided by the WADA "Medical Information to support the decision of TUEC's".
9. The WDSF Anti-Doping Commission has the right to request additional relevant investigations, examinations or imaging studies she deems necessary at the expense of the applicant.
10. The application shall include a statement by an appropriate 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 his/her condition.
11. The substance or method, dose, frequency, route and duration of administration of the otherwise Prohibited Substance or Prohibited Method in question shall be specified. In case of a change, a new application shall be submitted.
12. An application for a TUE will be reviewed by at least three physicians, member of the WDSF Anti-Doping Commission. The majority of their advice is binding.
13. In normal circumstances, decisions of the WDSF TUEC should be completed within thirty (30) days of receipt of all relevant documentation, i.e. a fully completed and documented TUE Application Form.
14. The Chair of the WDSF Anti-Doping Commission/WDSF Anti-Doping Director will convey all decisions of the WDSF TUEC in writing to the Athlete. In case of a TUE application made in a reasonable time limit prior to an Event the WDSF TUEC should use its best endeavours to complete the TUE process before the start of that Event.



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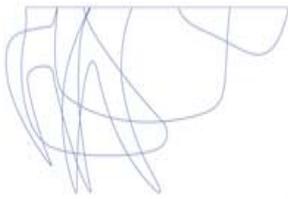
#### **Art. 4: Criteria for granting a TUE**

A Therapeutic Use Exemption (TUE) may be granted to an Athlete permitting the Use of a Prohibited Substance or Prohibited Method. An application for a TUE will be reviewed by the WDSF TUE Committee composed of physicians of the WDSF Anti-Doping Commission. A TUE will be granted only in strict accordance with the following criteria.

1. 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.
2. 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.
3. There is no reasonable Therapeutic alternative to the use of the otherwise Prohibited Substance or Prohibited Method.
4. The necessity for the use of the otherwise Prohibited Substance or Prohibited Method cannot be a consequence, wholly or in part, of the prior Use without the TUE, of a substance or method which was prohibited at the time of Use.
5. The TUE will be cancelled if:
  - a) The Athlete does not promptly comply with any requirement or condition imposed by the WDSF Anti-Doping Commission;
  - b) The term for which the TUE was granted has expired;
  - c) The Athlete is advised that the TUE has been withdrawn by the WDSF Anti-Doping Commission;
  - d) A decision granting a TUE has been reversed by WADA or CAS.
7. An Application for a TUE will not be considered for retroactive approval except in 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 applicant to submit, or the WDSF TUEC to consider, an application prior to an Anti-Doping Control.

#### **Art. 5: the WDSF TUE Committee (TUEC)**

1. The physicians of the WDSF Anti-Doping Commission will act as the WDSF Therapeutic Use Exemption Committee (TUEC). For this reason the WDSF Anti-Doping Commission should include at least three physicians with experience in the treatment and care of Athletes and a sound knowledge of clinical, sports and exercise medicine. In order to ensure a level of independence of decisions, the physicians of the WDSF Anti-Doping



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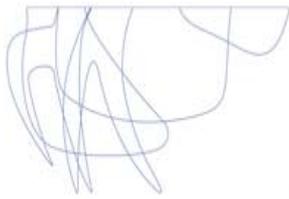


Commission should not have any other official responsibility in the WDSF organization. Said physicians should sign a conflict of interest agreement. In Applications involving Athletes with disabilities, an outside specialist with special experience in care and treatment of athletes with disabilities can be consulted.

2. The physicians of the WDSF TUEC may seek whatever medical or scientific expertise they deem appropriate in reviewing the circumstances of any application for a TUE.
3. The WADA TUEC may review on its own initiative TUE decisions granted by the WDSF TUEC or upon request by Athletes who have been denied a TUE by the WDSF TUEC, review such a negative decision, with the power to reverse said decisions. In normal circumstances the WADA TUEC shall render a Decision within 30 days of receipt of all requested information.

## **Art. 6: Confidentiality of Information**

1. The collection, storage, processing, disclosure and retention of Personal Information in the TUE process by WDSF and WADA shall comply with the International Standard for Protection of Privacy and Personal Information.
2. An Athlete applying for a TUE shall provide written consent for the transmission of all information pertaining to the application to members of the WDSF and other TUEC's with authority under the Anti-Doping Code to review the file and, as required, other independent medical or scientific experts, and to all necessary staff involved in the management, review or appeal of TUE's. The applicant shall also provide written consent for the decision of the TUEC to be distributed to other relevant Anti-Doping Organizations and National Federations under the provision of the WDSF Anti-Doping Code. Should the assistance of external, independent experts be required, all details of the application will be circulated without identifying the Athlete.
3. The members of the TUEC's, independent experts and the staff of the Anti-Doping Organization involved will conduct all of their activities in strict confidence and will sign confidentiality agreements. In particular they will keep the following information confidential:
  - a) All medical information and data provided by the Athlete and physicians involved in the Athlete's care.
  - b) All details of the application including the name of the physicians involved in the process.
4. Should the Athlete wish to revoke the right of any TUEC to obtain any health information on/his behalf, the athlete shall notify his/her medical practitioner in writing of the fact. As a consequence of such a decision, the Athlete will not receive approval for a TUE or renewal of an existing TUE.
5. Anti-Doping Organizations shall ensure that Personal Information obtained in the TUE process is retained for a period of eight (8) years and thereafter for only as long as necessary to fulfil their obligations under the Anti-Doping Code or were otherwise required by applicable law, regulation or compulsory legal process.



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## **Art. 7: Declaration of Use Process**

1. There are no longer substances or methods on the Prohibited List that require a Declaration of Use and therefore it is not necessary to file a Declaration of Use.

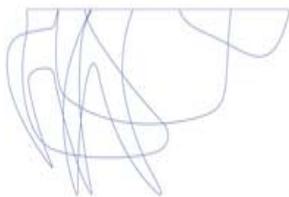
## **Art. 8: Review of WDSF TUE Decisions by WADA**

1. The WADA TUE Committee may, at any time, review the grant of a TUE to an Athlete in the WDSF International Testing Pool, entered into an International Event. In addition to the information provided to the WDSF TUE Committee, WADA may seek also additional information from the Athlete, including further medical studies. If a decision of a TUE is reversed by WADA, the reversal shall not apply retroactively and shall not disqualify the athlete's results during the period for which the TUE had been granted and shall take effect no later than fourteen (14) days following the notification of the decision to the athlete.
2. An athlete in the WDSF International Registered Testing Pool may request that WADA review the denial of a TUE by submitting a written request for review to WADA within twenty-one (21) days of the date of denial. An Athlete submitting such a request for review to WADA shall pay an application fee as established by WADA and shall provide to WADA copies of all information that the athlete submitted to the WDSF Anti-Doping Commission. Until the WADA review process has been completed, the original TUE denial remains in effect. If WADA reverses the denial of a TUE, the TUE shall immediately go into effect in accordance with the conditions set forth in the WADA decision.
3. Decisions by WADA to affirm or reverse the TUE decisions of WDSF may be appealed to CAS as provided for in art. 9.VI of the WDSF Anti-Doping Code.

## **Art. 9: Taking Effect**

This WDSF TUE Procedure is approved by the WDSF Presidium in its Meeting at Barcelona, Spain, on January 17-18, 2009. This 2012 issue is modified as mandatory for WDSF according to the WADA International Standard for Therapeutic Use Exemptions 2011, and will be effective January 1<sup>st</sup> 2012.

END



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# Therapeutic Use Exemptions

## TUE Application Form

Please complete all sections in capital letters or typing

### 1. Athlete Information

Surname: ..... Given Names: .....

Female  Male  (*tick appropriate box*)

Date of Birth (d/m/y): .....

Address: .....

City: ..... Country: ..... Postal code: .....

Tel. home: ..... tel. Mobile: .....

E-mail: .....

Sport: ..... Discipline/Position: .....

National Sporting Organization (IDSF Member): .....

If athlete with disability, indicate disability: .....

I'm part of the IDSF International Registered Testing Pool

I'm part of the National Registered Testing Pool of my country

none of the above

### 2. Notifying medical practitioner

Name, qualifications and medical speciality (*see note 1*): .....

.....

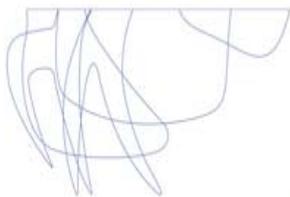
.....

Address: .....

..... E-mail address: .....

Tel. Work: ..... Tel. Home: .....

Mobile: ..... Fax: .....



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**Diagnosis with sufficient medical information** (see note 1):

.....  
.....

**If a permitted medication can be used to treat the medical condition, provide clinical justification for the requested use of the prohibited medication:**

.....  
.....

### 3. Medication details

Prohibited Substance(s): <u>Generic name</u>	Dose of administration	Route of administration	Frequency of administration
1.			
2.			
3.			

<b>Intended duration of treatment</b>	<input type="checkbox"/> once only <input type="checkbox"/> emergency
	Or duration .....

**Have you submitted any previous TUE application:**  yes     no

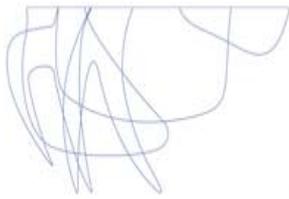
If yes: Date: .....

For which substance(s): .....

.....

To which Anti-Doping Organization (NADO/IDSF): .....

Result  approved     not approved



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**4. Please note additional information and attach sufficient medical information to substantiate the diagnosis and the necessity to use a prohibited substance:**

.....  
.....  
.....  
.....  
.....

**5. Medical practitioners and athlete's declaration**

I, medical practitioner as mentioned under 2. above, .....(name)  
certify the above-mentioned substance/s for the above-named athlete has been/are to be administered as the correct treatment for the above-named medical condition.

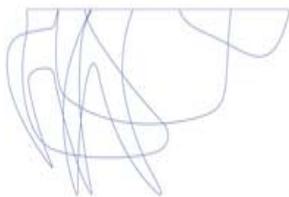
**Signature of Medical Practitioner:** ..... **Date:** .....

I, athlete as mentioned under 1. above, .....(name)  
certify that the information under 1. above is accurate and that I am requesting approval to use a Substance or Method from the WADA Prohibited List. I authorize the release of personal medical information to the IDSF Anti-Doping Commission as well as to WADA staff and to the WADA TUEC (Therapeutic Use Exemption Committee) as well as to other Anti-Doping Organizations under the provisions of the IDSF Anti-Doping Code. I understand that if I ever wish to revoke the right of the IDSF Anti-Doping Commission or WADA TUEC to obtain my health information on my behalf, I must notify my medical practitioner in writing of that fact.

**Athlete's signature:** ..... **Date:**.....

**Parent's/Guardian's signature:** ..... **Date:** .....

(if the athlete is a minor or has a disability preventing him/her to sign this form, a parent or guardian shall sign together with or on behalf of the athlete)



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**6. Notes:**

<b>Note 1</b>	<i>Name, qualifications and medical specialty</i> For example: Dr AB Cook, MD FRACP, Gastro-enterologist.
<b>Note 2</b>	<i>Diagnosis</i> Evidence confirming the diagnosis must be attached and forwarded with this application. The medical evidence should include a comprehensive medical history and the results of all relevant examinations, laboratory investigations and imaging studies. Copies of the original reports or letters should be included when possible. Evidence should be as objective as possible in the clinical circumstances and in the case of non-demonstrable conditions independent supporting medical opinion will assist this application.
<b>Note 3</b>	<i>NSO Chief Medical Officer</i> Where possible the Chief Medical Officer (CMO) of the sport involved should be notified of the application to the Anti-Doping Organization. When appropriate, the application should include a statement by the Medical Officer of the Athlete's national sport governing body, attesting to the necessity of the otherwise Prohibited Substance or Prohibited Method in the treatment of the athlete.
<b>Note 4</b>	<i>Medication details</i> Provide details concerning all prohibited substances or methods for which approval is sought. Use generic names (INN) and specify medication dose.
<b>Note 5</b>	If a permitted medication can be used in the treatment of the athlete's medical condition, please provide clinical justification for the requested use of the prohibited medication.

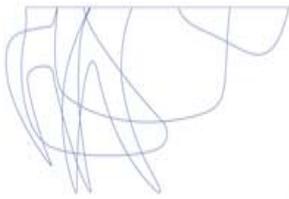
**Please submit the completed form to the WDSF Anti-Doping Director and keep a copy of the completed form for your records.**  
***Incomplete Applications will be returned and will need to be resubmitted in full.***

**7. IDSF TUEC Decision (for office use only)**

**Date Received:** \_\_\_\_\_

**Application Complete:**  yes  no

Internal Notes:  
.....  
.....  
.....  
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Name of IDSF TUEC Representative(s): .....

.....

Signature(s): .....

.....

Date: .