

THERAPEUTIC USE EXEMPTION (TUE)

INTRODUCTION

The following Q &A document has been compiled by the IRB and the SRU and is provided for assistance with Therapeutic Use Exemptions.

1. What is a Therapeutic Use Exemption?

A Therapeutic Use Exemption (TUE) may be granted to a Player permitting the use of a Prohibited Substance or Prohibited Method contained in the WADA Prohibited List to treat a legitimate medical condition.

More information on the Prohibited List currently in force is available on WADA's website at www.wada-ama.org

There are two types of TUEs, an abbreviated TUE and a standard TUE.

2. When would a Player seek an abbreviated Therapeutic Use Exemption?

When a Player needs to use a Prohibited Substance as outlined in (a) or (b) below, he has medical notification justifying the therapeutic necessity and there is no alternative treatment.

The abbreviated TUE applies to the following Prohibited Substances and permitted routes of administration only.

- (a) Beta 2 Agonists – (formoterol, salbutamol, salmeterol and terbutaline) administered by inhaler only to prevent and /or treat asthma and exercised induced asthma/bronchoconstriction.
- (b) Glucocorticosteroids administered by non-systemic routes such as local and intra-articular injections, anal, aural, ophthalmic and inhalation. (A TUE is no longer needed for dermatological use of glucocorticosteroids.)

3. When would a Player seek a standard Therapeutic Use Exemption?

A Player would seek a standard TUE for a Prohibited Substance or Prohibited Method that is on the WADA Prohibited List that is not covered by an abbreviated TUE, he has medical support justifying the therapeutic necessity as further set out in the International Standard for TUEs, and there is no alternative treatment.

4. How can I check the status of medications?

To determine the status of any medication, consult the UK Sport Drug Information Database, by clicking on the link below:

<http://www.uk sport.gov.uk/did/>

5. Where can a copy of the abbreviated and standard TUE application forms be obtained?

The abbreviated TUE Application form can be located at Schedule 4 of the SRU Regulation 21 and can also be downloaded below:

PDF Download of ABBREVIATED TUE form

The standard TUE Application form can be located at Schedule 3 of the SRU Regulation 21 and can be downloaded below:

PDF Download of STANDARD TUE form

6. What is a Therapeutic Use Exemption Committee?

A Therapeutic Use Exemption Committee (TUEC) is comprised of a panel of physicians who review and make decisions on TUE applications. The IRB has appointed a TUEC who will deal with TUE applications from International Level Players only. TUE applications for all other players will be dealt with by a UK Sport TUEC.

7. Communication channels for TUE applications and TUE decisions

The communication process in relation to the application for abbreviated and/or standard TUEs will **always be via the SRU** to either the IRB TUEC for International Level Players or the UK Sport TUEC for all other Players. The response to such applications will then be forwarded back to the Player via the SRU.

A flowchart has been prepared showing the process for both abbreviated and standard TUEs.

Click here to download the flowchart (PDF Download)

8. Where should I send my completed TUE application to?

Please send all TUE applications (with supporting medical evidence if a standard TUE) to:

Mail:

Anti-Doping
Murrayfield
Edinburgh
EH12 5PJ

Fax: 0131 346 5001

Email: TUE@sru.org.uk

NB – All applications are treated in the strictest confidence

9. What is the timetable for submitting an abbreviated TUE to the relevant TUEC?

An application for an abbreviated TUE should be **submitted to the SRU at least 48 hours** prior to the Player's scheduled participation in a Match or Tournament or prior to the expiry of the previous abbreviated TUE.

10. Can a TUE be cancelled?

Yes, a TUE will be cancelled by the granting TUEC if;

- (a) the Player does not promptly comply with any requirements or conditions imposed by the relevant TUEC granting the exemption.
- (b) the term for which the TUE was granted has expired.
- (c) the Player is advised that the TUE has been withdrawn by the relevant TUEC.

11. How long is a standard TUE valid for?

The relevant TUEC will determine the period and conditions for which a standard TUE will be valid.

12. How long is an abbreviated TUE valid for?

Subject to the review mechanism referred to below, an abbreviated TUE shall normally be valid for 2 years from the date of receipt by the relevant TUEC for both inhaled Beta 2 Agonists and inhaled Glucocorticosteroids. For other permitted routes of administration of

non-systemic Glucocorticosteroids the validation period shall be for the duration of the treatment for that particular medical condition.

It should be noted that abbreviated TUEs may be subject to review and may be cancelled by the relevant TUEC at any time.

13. What happens when a standard TUE application is approved?

Once a standard TUE is approved by the relevant TUEC, the Player will be notified in writing via the SRU and a Certificate of Approval for Therapeutic Use which will outline the duration and expiry of the exemption and any specific conditions linked to it will be issued. The Player should carry his TUE Certificate of Approval with him at all times. If selected for Doping Control, the Player should show the TUE Certificate of Approval to the Doping Control Officer at the time of the Doping Control test.

If a standard TUE is not approved by the relevant TUEC, the TUEC will notify the SRU of this who in turn should immediately inform the Player that the TUE has been denied and that the Player should not take the Prohibited Substance or Prohibited Method, which they have applied for if they wish to participate in the Game. The option to appeal the TUE decision should also be outlined to the Player.

14. Are there any circumstances in which retroactive approval may apply?

The International Standard for TUEs provides that an application for either an abbreviated or standard 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 a TUEC to receive and consider a TUE application prior to Doping Control occurring (see Note below).

If a retroactive TUE is to be considered it should be **submitted to the SRU within 48 hours** of the administration of the Prohibited Substance or Prohibited Method to the Player or where exceptional circumstances existed preventing the TUE application to be submitted within the requested timetable for a TUE application to be considered by the appropriate TUEC for retroactive approval.

The retroactive TUE application should be accompanied by relevant evidence supporting such emergency/exceptional circumstance situation (in addition to the medical information required) to the relevant TUEC for its consideration. Retroactive approval shall be determined by the relevant TUEC.

(Note: In the event that a player is tested who is not in the International, National or Domestic Registered Testing Pool, a 5-day period is permitted for retro-active abbreviated TUE applications.)

15. What happens if a Player has not submitted a standard TUE or abbreviated TUE and his sample returns an Adverse Analytical Finding?

Subject to any retroactive TUE approval a formal hearing will require to be held. The process is outlined in SRU Anti-Doping Regulation 20 Due Process.

16. What can a Player do if his standard TUE application is denied?

If a player is denied a standard TUE application, the player may make an appeal. For details, contact the SRU.

Should you have any queries about the SRU Anti-Doping Regulations and the TUE process in particular, please contact:

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