



British Columbia Athletic Commissioner

Therapeutic Use Exemption Procedure

What is a Therapeutic Use Exemption (TUE)?

Athletes, like all others, may have illnesses or conditions that require them to take particular medications. 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) may give that athlete the authorization to take the needed medicine.

What are the criteria for granting a TUE?

The criteria are:

- The athlete would experience significant health problems without taking the prohibited substance or method
- The therapeutic use of the substance would not produce significant enhancement of performance, and
- There is no reasonable therapeutic alternative to the use of the otherwise prohibited substance or method.

Who grants TUEs?

The Office of the BC Athletic Commissioner, using advice from a panel of independent physicians (called a Therapeutic Use Exemption Committee) may grant TUEs based on the World Anti-Doping Code, of which the World Anti-Doping Agency (WADA) has issued an International Standard for TUEs.

The Commissioner will identify and constitute a Therapeutic Use Exemption Committee (TUEC) as, and when, required. The Commissioner may directly constitute a TUEC or engage in a contract with a neutral third party to provide that service.

Where should an athlete submit a TUE Application?

If you are an athlete sanctioned by the BC Athletic Commissioner, you must submit your TUE Application to the Commissioner who will forward your request to the TUEC, which is responsible for accepting applications and advising the Commissioner on TUEs. You may provide your health information directly to the TUEC once your application has been accepted by the Commissioner. You do not have to submit your health information directly to the Commissioner, but you must first apply for a TUE through the Commissioner.

How can an athlete apply for a TUE?

The process for an athlete to apply for a TUE is fairly simple. Each athlete must:

- Contact the Commissioner and ask for the TUE Application process. Applications are usually submitted through email or using a paper form.
- Have his or her physician fill out the TUE Application form and produce the required supporting documentation and forward it to TUEC as identified by the Commissioner. Athletes should remember that according to the International Standard for TUEs, the TUE Application should be submitted at least 30 days before participating in an event.

Tips on applying for a TUE

- Complete the form by typing or hand writing in block capital letters. If the form is not legible, it is deemed incomplete and will be returned to the athlete.
- If faxing the form, ensure that you include all the required documentation and keep a copy of the request as well as a record of the transmission or acknowledgement of receipt.

What happens if an athlete is granted a TUE?

TUEs can be granted for a specific medication with a defined dosage. They are also granted for a specific period of time and do expire. The athlete needs to comply with all the treatment conditions outlined in the TUE Application.

The TUEC will advise the Commissioner on whether a TUE should be issued or not. Once the Commissioner has made a decision, notification will be sent to the athlete from the Commissioner.

What should an athlete do if he/she is notified for doping control while using a prohibited substance under a granted TUE?

When filling out the doping control form, make sure that you declare the substance or medication being used and that you specify that a TUE has been granted. If you have easy access to a copy of the TUE Approval form, it is preferable but not mandatory that you show it to the doping control official.

What will happen if the prohibited substance is detected during the analysis?

When the doping control authority receives the report from the laboratory, an initial review will take place to verify that the TUE is still in effect and that the results of the analysis are consistent with the TUE granted (nature of substance, route of administration, dose, time frame of administration, etc.). If the review proves satisfactory, the result of your test will be recorded as negative.

What can an athlete do if his/her TUE is denied by the granting authority (BCAC)?

If your TUE is denied by the Commissioner you may ask to have the decision reconsidered in accordance with the *Athletic Act*.

Will the information on the athlete's TUE Application remain confidential?

Athletes concerned about confidentiality should note that all the information contained in their TUE Application will be kept strictly confidential as medical data.

Should athletes declare all medications (prescription or otherwise) on the Doping Control Form at the time of doping control?

Yes. Athletes are advised to declare all medications and other substances that are being taken or have been taken in the previous seven days.