

LAO-NADO Office – Check List THERAPEUTIC USE EXEMPTION (TUE) PROCESS

*** Please ensure information is kept confidential at all times. Ensure LAO-NADO Board Members have knowledge of and access to information related to the TUE application process and remind them of their obligation to make this information available to their national athletes (International Standard (ISTUE), TUE Guidelines, TUE Application Form).*

***The LAO-NADO Office should always consult the relevant member country's LAO-NADO Rules Agreement / Delegation of Responsibilities Form to confirm who is responsible for the TUE process.*

- Athlete does not classify as an International Level Athlete (as per the definition of the relevant International Federation (IF) and consistent with the International Level Athlete definition in the World Anti-Doping Code (Code).
- Confirm that the LAO-NADO has jurisdiction to process the application (national level athlete as defined by LAO-NADO) by reviewing the LAO-NADO Rules and relevant LAO-NADO Rules Agreement / Delegation of Responsibilities Form.

Receipt of Application

- Application received through ADAMS, hard copy, fax, or e-mail with required accompanying documentation.
- Verify that the application is complete within **5 calendar days** of receipt. It **must** include full medical dossier as well a thoroughly filled out TUE Application Form indicating diagnosis, substance or method, dosage, route of administration, frequency, duration of treatment and containing the signatures of athlete and doctor and/or parent /guardian if the athlete is a minor or has an impairment that would prevent him/her from comprehending or signing the form.
- Contact the Athlete and/or relevant Board Member for additional/missing information if required.
-Within **5 calendar days** of receipt of TUE Application Form.

Contact the LAO-NADO TUE Committee (TUEC) and designate three members to serve as the TUEC for the application (TUECs should include at least three physicians with experience in the care and treatment of *Athletes* and a sound knowledge of clinical, sports and exercise medicine). In cases involving *Athletes* with impairments, at least one TUEC member should possess general experience in the care and treatment of *Athletes* with impairments, or possess specific experience in relation to the *Athlete's* particular impairment.

- Within **7 calendar days** of receipt of complete application, gather all related information and securely send complete application package by email to the three TUEC Members for review.
- Inform the relevant Board Member and Athlete that the application is under assessment.
Immediately after sending file to TUEC
- Follow up on behalf of the TUEC if additional information is required from the Athlete.
Upon request.
- Contact the Athlete and/or relevant Board Member if additional information is required.
Upon request.

TUE Decision

- Ensure that completed TUE decision is received by LAO-NADO Office from the LAO-NADO TUEC within **21 calendar days** after receipt of the duly completed application.
- Upon reception:** Ensure that the decision from TUEC includes specifics related to use (dosage, frequency, route and duration of administration, any conditions related to the approval, etc.)

Prompt notification of the decision

- Inform the athlete of the TUEC decision within **5 calendar days**:
 - If TUE application is approved, ensure the notification to the athlete includes the specifics related to dosage, frequency, route and duration of administration, any conditions related to the approval, etc.. Also include information informing the athlete that he/she is responsible for renewing the TUE upon expiry (if applicable).
 - If TUE application is rejected, ensure the notification to the athlete includes the reasons for the denial and the details of the appeal process (their right to appeal exclusively to the national level appeal body described in articles 13.2.2 and 13.2.3 of the Code and the related deadline (deadline 21 days after athlete is notified of decision)).
- Inform the relevant Board Member.
- Inform WADA via ADAMS. Ensure all information is entered into ADAMS, including all accompanying supporting documentation (as attachments uploaded into ADAMS).

Keep record of the information by;

- Use of ADAMS; all hard copies should be securely stored at the LAO-NADO Office.

LAO-NADO Office – Check List THERAPEUTIC USE EXEMPTION (APPEAL)

- Athlete is not satisfied with the decision of the LAO-NADO TUEC and wishes to exercise right to appeal.
- LAO-NADO Office to assist the athlete in the TUE appeal process to ensure all is done according to the relevant rules (deadline, information to be relayed) and inform relevant Board Member of the process underway and of whether his/her assistance is needed.
- Contact LAO-NADO Results Management Committee in order to designate three members to form a LAO-NADO Appeals Panel. The individuals on this panel need to be doctors.
- Once Panel is set, send them the complete file from the first case as well as any additional information.
- Immediately after sending the file to the Appeal Panel, inform the relevant Board Member and athlete that the application is under assessment.

Follow up on behalf of the Appeals Panel if additional information is required from the Athlete.

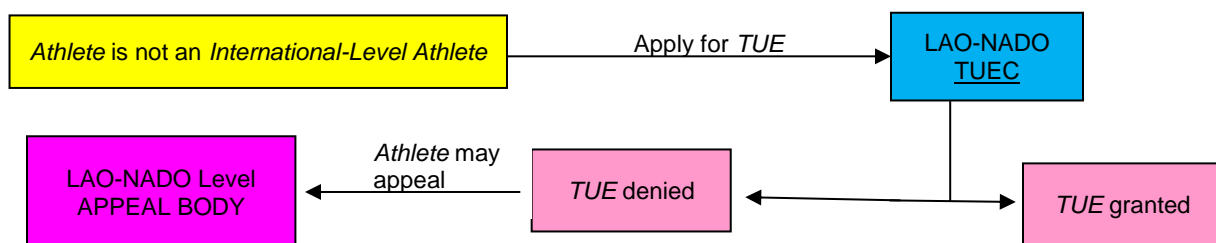
Contact the Athlete and/or relevant Board Member if additional information is required.

Appeal Panel Decision shall respect the following principles:
1) Timely, 2) Fair and Impartial, 3) Athlete has a right to be represented by counsel, 4) Timely written decision summarizing key facts of the case, respecting any significant time restrictions (Games, competition etc.).



Within **3 Calendar days** of the decision, update ADAMS and notify the Athlete and Board Member in writing with regards to the decision made by the LAO-NADO Appeals Panel.

Summarizing Illustration



LAO-NADO Office – Other Issues for Consideration

- If an athlete applies for a **retroactive** TUE, the LAO-NADO should ensure:
 - o It meets the requirements of Article 4.3 of the ISTUE.
 - If a retroactive TUE is granted according to Article 4.3 (a)-(c), ensure WADA is informed of the basis on which the TUE was granted.
 - If a retroactive TUE is granted according to Article 4.3 (d), you must seek WADA's approval prior to granting the retroactive TUE.
 - o The TUE process and TUE application form must be available on the LAO-NADO website, Facebook page, etc
 - The LAO-NADO should also request the NOC to include the process and application form on their website.
- Ensure all TUEC members sign a conflict of interest and confidentiality declaration (use the WADA template available on WADA's web-site).
- Adhere to the retention periods as outlined in the ISPPi:
 - o TUE approval forms – 10 years as of approval date
 - o TUE supplementary information (medical information, supporting documentation) – 18 months from the end of the validity of the TUE.