

## **Therapeutic Use Exemption (TUE) APPLICATION PROCESS**

### **What is a Therapeutic Use Exemption (TUE)?**

World Triathlon Athletes may have illnesses or conditions that require them to take particular medications or to utilise particular methods of treatment.

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) gives that Athlete the authorization to take the needed medicine so long as the Athlete fulfills all the mandatory criteria to do so.

You have a responsibility to inform your physician(s) that you are an Athlete bound to anti-doping rules. You and your physicians(s) should check the [Prohibited List](#) for the substance/method you are prescribed. If the substance/method is prohibited, discuss non-prohibited alternatives, if there are none, apply for a TUE. Remember Athletes have the ultimate responsibility. Contact your NADO or World Triathlon at [jeanne.courbe@triathlon.org](mailto:jeanne.courbe@triathlon.org) if you are having difficulties.

### **What are the criteria you must fulfill in order to obtain a TUE?**

The purpose of the [International Standard for Therapeutic Use Exemptions \(ISTUE\)](#) is to ensure that the process of granting TUEs is harmonized across sports and countries.

According to Article 4.2 of the ISTUE, *an Athlete may be granted a TUE if (and only if) he/she can show, on the balance of probabilities, that each of the following conditions is met:*

- a) The Athlete has a clear diagnosed medical condition which requires treatment using a prohibited substance or method;*
- b) The therapeutic use of the substance will not, on the balance of probabilities produce significant enhancement of performance beyond the athlete's normal state of health.*
- c) The Prohibited Substance or Prohibited Method is an indicated treatment for the medical condition, and there is no reasonable permitted Therapeutic alternative.*
- d) The necessity for the Use of the Prohibited Substance or Prohibited Method is not a consequence, wholly or in part, of the prior Use (without a TUE) of a substance or method which was prohibited at the time of such Use.*

## Who needs to apply for a TUE?

The following Athletes are considered “international level athletes” and should apply for a TUE with World Triathlon:

- All *Athletes* who are included in the World Triathlon *Registered Testing Pool* or *Testing Pool*, and
- All *Athletes*, who are currently ranked in the World Triathlon’s world rankings or paratriathlon rankings.

### ***Are you considered an international level athlete?***

Check here to see if you hold a World Triathlon world ranking [World Triathlon Rankings — World Triathlon](#)

## When should you apply for a TUE?

In general, unless exceptional circumstances apply, a World Triathlon International Level Athlete who needs to Use a Prohibited Substance or Prohibited Method for Therapeutic reasons must obtain a TUE from World Triathlon prior to using or possessing the substance or method in question and in all cases must apply for a TUE 30 days prior to competing.

## What if your TUE is denied?

A decision to deny a TUE application will include a written explanation of the reason(s) for the denial. If it is not clear to you, please contact World Triathlon at [jeanne.courbe@triathlon.org](mailto:jeanne.courbe@triathlon.org) to understand exactly why the TUE was denied. Sometimes, there may be a critical piece of information, diagnostic test, laboratory results missing, etc., in which case, you should re-apply to us.

You and/or your NADO may refer the matter to WADA for review no later than 21 days after notification of the World Triathlon TUEC decision. You should send the same information that you submitted to us, and on which the decision to deny the TUE was based on, via a secure on-line method or by registered mail at:

WADA Medical Department  
World Anti-Doping Agency  
Stock Exchange Tower  
800 Place Victoria (Suite 1700)  
P.O. Box 120  
Montreal (Quebec) H4Z 1B7  
Canada

The email address to enquire and/or send the request for review is: [medical@wada-ama.org](mailto:medical@wada-ama.org)

It should be noted that WADA is not obliged to proceed with a request for a review. In that case, you and/or your NADO may appeal to the Court of Arbitration for Sport (CAS).

### **What if I need to renew my TUE?**

Each TUE has a specific duration, at the end of which it expires automatically. Should you need to continue to use the prohibited substance or method, it is your responsibility to submit a new application for a TUE with updated medical information ahead of the expiry date, so that there is sufficient time for a decision to be made prior to the expiry of the current TUE.

#### **Important note:**

The presence (following sample collection), use, possession or administration of the prohibited substance or method must be consistent with the terms of your TUE. Therefore, if you require a materially different dosage, frequency, route or duration of administration, you should contact World Triathlon, as you may be required to apply for a new TUE. Some substances and dosages, e.g. insulin, are often modified during treatment and these possible fluctuations should be mentioned by the treating physician in the TUE application and would usually be accepted by the ADO TUEC.

### **Is my national-level TUE valid at the international-level?**

YES! So long as World Triathlon is informed of it, World Triathlon can recognize all TUEs granted to Athletes by their NADO. Please note that this recognition is **not automatic**, you **must submit a request of recognition to World Triathlon** (see section below).

Your request for recognition should be submitted to World Triathlon at [jeane.courbe@triathlon.org](mailto:jeane.courbe@triathlon.org) in writing quoting your ADAMS TUE reference number.

Keep a complete copy of the proof that your request for recognition has been sent to World Triathlon.

In the event your TUE does not meet the criteria set out in the ISTUE, World Triathlon TUE Committee will not recognize it. In that case, the Athlete and the relevant NADO shall be notified, and have 21 days from the date of decision to refer the matter to WADA for review. The email address to enquire and/or send the request for review is [medical@wada-ama.org](mailto:medical@wada-ama.org). Alternatively, you may send to :

WADA Medical Department  
World Anti-Doping Agency  
Stock Exchange Tower  
800 Place Victoria (Suite 1700)  
P.O. Box 120  
Montreal (Quebec) H4Z 1B7  
Canada

The same information that was provided to your NADO should be submitted to WADA. Please use a secure on-line method unless sending by registered mail.

Pending WADA's decision, your NADOE TUE remains valid for national-level competition and Out-Of-Competition Testing only.

If the matter is not referred to WADA for review, your NADO must determine whether the original TUE that was granted should remain valid for national-level Competition and Out-of-Competition Testing.

### **What if you compete in the Junior or Age Group Categories?**

World Triathlon can recognize TUEs (**after the recognition process submitted to World Triathlon**) granted by NADOs for Athletes who compete in Junior or Age Group Categories (as defined in World Triathlon Competition Rules) or who do not fall within the definition of international-level Athletes (as defined in the Scope section of the World Triathlon AD Rules and above) and who need to use a Prohibited Substance or a Prohibited Method for therapeutic reasons when it has been by granted their NADO - as long as it satisfies the ISTUE criteria.

In the case where World Triathlon does not recognize a TUE, the Athlete and the relevant NADO shall have 21 days from such notification to refer the matter to WADA for review.

In such a case,

- If the matter is referred to WADA for review, the TUE granted by the NADO remains valid for national-level competition *but is not valid for international-level competition pending WADA's decision.*
- If the matter is not referred to WADA for review, your NADO must determine whether the original TUE that was granted should remain valid for national-level Competition and Out-Of-Competition Testing.

Also,

- If World Triathlon chooses to test an Athlete who is neither an International-Level nor a National-Level Athlete World Triathlon shall permit that Athlete to apply to World Triathlon for a retroactive TUE for any Prohibited Substance or Prohibited Method that he/she is using for therapeutic reasons.

### **Can I get a retroactive TUE?**

You may only apply retroactively for a TUE to World Triathlon if:

- You required emergency or urgent treatment of a medical condition.

- There was insufficient time, opportunity or other exceptional circumstances that prevented you from submitting the TUE application, or having it evaluated, before getting tested.
- You are a lower-level athlete who is not under the jurisdiction of World Triathlon or NADO and were tested.
- You tested positive after using a substance Out-of-Competition that is only prohibited In-Competition (for example glucocorticoids).

In rare and exceptional circumstances and notwithstanding any other provision in the ISTUE, you may apply for and be granted retroactive approval for a therapeutic use of a prohibited substance or method, if considering the purpose of the Code, it would be manifestly unfair not to grant a retroactive TUE.

This unique retroactive TUE will only be granted with the prior approval of WADA (and WADA may in its absolute discretion agree with or reject the World Triathlon's decision).

### **Important note**

Using a prohibited substance before being granted a TUE could result in an Adverse Analytical Finding and a potential anti-doping rule violation.

In case an application for a retroactive TUE is necessary following sample collection, you are strongly advised to have a medical file prepared and ready to submit for evaluation.

### **How to apply to World Triathlon for a TUE?**

World Triathlon encourages to submit TUE applications via ADAMS, together with the required medical information. If you do not have an ADAMS account yet, please contact us at the following email address: [jeanne.courbe@triathlon.org](mailto:jeanne.courbe@triathlon.org) to have it set up.

Otherwise, please download the World Triathlon's TUE Application Form [World Triathlon TUE Form.pdf](#), and once duly completed and signed, send it together with the required medical file to [jeanne.courbe@triathlon.org](mailto:jeanne.courbe@triathlon.org).

Your TUE application must be submitted in legible capital letters or typing.

The medical file must include:

- A comprehensive medical history, including documentation from the original diagnosing physician(s) (where possible);
- The results of all examinations, laboratory investigations and imaging studies relevant to the application.

Any TUE application that is not complete or legible will not be dealt with and will be returned for completion and re-submission.

To assist you and your doctor in providing the correct medical documentation, we suggest consulting the WADA's [Checklists for TUE applications](#) for guidance and support, and [Medical Information to Support the Decisions of TUECs](#) for guidance on specific common medical conditions, treatments, substances, etc.

Keep a complete copy of the TUE application form and all medical information submitted in support of your application, and proof that it has been sent.

### **Receipt and processing of TUE applications and requests for recognition**

World Triathlon shall receive, whether directly or via ADAMS, all TUE applications for international-level Athletes. The Form can be downloaded here [World Triathlon TUE Form.pdf](#).

For the purpose of recognition, World Triathlon shall receive, whether directly or via ADAMS, all TUEs granted to national-level Athletes by their NADO. Upon receipt of the TUE, World Triathlon shall process the application (s).

Should the application form not be properly filled out, or should mandatory medical documentation be missing, the Athlete shall be so informed, and the TUE application will not be accepted until adequately submitted.

Once a TUE application has been duly received in proper form, the TUE application will be directed to the TUE Committee who will process with the application. Once the TUE Application is complete and duly received by the TUEC, it has 21 days to take the decision of granting or recognising the TUE. As soon as the decision is made, the Athlete will be informed if his TUE has been granted or denied.

In accordance with Article 4.4.4. 6 of the World Triathlon Anti-Doping Rules, if the TUE is denied, the Athlete will be given the opportunity to appeal for a review of that decision before the WADA TUE Committee.

### **What if you intend to compete in an International Event organized by a Major Event Organiser? ("MEO" as defined in the World Anti-Doping Code) e.g. Olympic Games, Commonwealth Games, Mediterranean Games etc.**

As outlined in the International Standard of the Therapeutic Use Exemption (ISTUE) at article 7, a MEO can recognise TUEs that have already been granted by World Triathlon and that are still valid. However, this recognition is **not automatic** and you need to apply for the recognition of your TUE if you wish to use a prohibited substance or method in connection with the Event..

If you have a TUE granted by World Triathlon and you will be competing at a Major Event (e.g., the Olympic Games), you should contact the MEO for information on their recognition process of the TUE.

Please note that a TUE granted by a MEO is valid only for the duration of that event

Please verify the Anti-Doping Rules of each relevant MEO to be sure that you comply with their respective obligations in relation to TUEs.

### **Will my medical information be treated in a confidential manner?**

All the information contained in a TUE application, including the supporting medical information and any other information related to the evaluation of your TUE request is kept strictly confidential and treated in accordance with the Athlete's Declaration contained in the ADAMS TUE process and in the World Triathlon's TUE Application Form ([World Triathlon TUE Form.pdf](#)). All members of the TUEC and any other authorised recipients of your TUE request and related information (as described in the Athlete's Declaration) are subject to a professional or contractual confidentiality obligation.

Please review carefully the terms of the Athlete's Declaration in the World Triathlon TUE Application Form. In particular, note that should you wish to revoke the right of World Triathlon's TUEC to obtain the information related to your TUE in accordance with the Athlete's Declaration, your TUE application will be deemed withdrawn without approval [or recognition] being granted.

Your TUE request-related information will be retained by World Triathlon and any other authorised recipients for no longer than necessary for the purposes stated in the Athlete's Declaration, in accordance with the International Standard for the Protection of Privacy and Personal Information.

### **Contact Information**

For any further information and questions in relation to World Triathlon's personal information practises, please contact [jeanne.courbe@triathlon.org](mailto:jeanne.courbe@triathlon.org).

If you have a doubt as regards to which organisation you should apply for a TUE, or as to the recognition process, or any other question about TUES, please contact: [jeanne.courbe@triathlon.org](mailto:jeanne.courbe@triathlon.org).

### **Other Useful Links**

[WADA International Standard for Therapeutic Use Exemptions \(ISTUE\)](#)

[WADA Q&A on Therapeutic Use Exemptions](#)

[WADA Checklists for TUE Applications](#)

[WADA Guidelines for the 2021 International Standard for Therapeutic Use Exemptions \(ISTUE\)](#)

[WADA Anti-Doping Education and Learning \(ADEL\)](#)

[WADA International Standard for Protection of Privacy and Personal Information \(ISPPPI\)](#)