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ETHIOPIAN ANTI-DOPING AUTHORITY

WHAT IS A THERAPEUTIC USE EXEMPTION (TUE) AND STEPS OF APPLICATION?

Athletes may have illnesses or conditions that require them to take medications or undergo procedures. If the medication or method an athlete is required to use to treat an illness or condition is prohibited as per the World Anti-Doping Agency's (WADA) [Prohibited List](#), a TUE may give that athlete the authorization to use that substance or method while competing without invoking an anti-doping rule violation (ADRV) and applicable sanction. Applications for TUEs are evaluated by a panel of physicians the TUE Committee (TUEC).

The Ethiopia Anti-Doping Authority's TUEs is only valid for national-level Competition and Out-of-Competition Testing.

CRITERIA FOR GRANTING A TUE

All of the following criteria must be met for granting a TUE (for more details, please refer to the [WADA International Standard for Therapeutic Use Exemptions \(ISTUE\) Article 4.2](#)):

- The athlete has a clear diagnosed medical condition, which requires treatment using a prohibited substance or method;
- 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;
- The prohibited substance or method is an indicated treatment for the medical condition, and there is no reasonable permitted therapeutic alternative;
- The necessity to use that substance or method is not the consequence of the prior use (without a TUE), of a substance or method which was prohibited at the time of use.

Based on these four criteria, those national level athletes can apply for ETH-NADA to be TUE granted.

On the other hand, international level athletes may submit their TUE request for International Federations and/or Major Event Organizers.

WHO SHOULD APPLY FOR A TUE? WHERE AND WHEN TO APPLY?

Athletes who are subject to anti-doping rules would need a TUE to take a prohibited substance or use a prohibited method. Athletes should verify with **ETH-ADA** to know to whom they need to apply and if they can apply retroactively.

First, check if the required medication or method they intend to take, or use is prohibited as per the WADA Prohibited List.

They have a responsibility to inform their physician(s) that they are an Athlete bound to anti-doping rules. They and their physician(s) should check the: <https://www.wada-ama.org/en/resources/world-anti-doping-program/prohibited-list> for whatever substance/method they 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 ETH-ADA if they are having difficulties.

Then, contact **ETH-ADA** to determine their competition level and TUE application requirements.

If it is determined that they are a National-Level Athlete, they must apply to **ETH-ADA** in advance, as soon as the need arises, unless there are emergency or exceptional circumstances.

As per the ETH-ADA Rule, National Level Athlete is:

- Any athlete who participates individually or as a team in the international level events and competitions by representing Ethiopia;
- Any athlete included in the national teams of each sport.
- Any athlete who participates in the national competitions and events organized by the government of Ethiopia, National Federations, Universities, and other Organizations.
- If any such Athletes are classified by their respective International Federations as International-Level Athletes, then they shall be considered International-Level Athletes (and not National-Level Athletes) for the purposes of these Anti-Doping Rules as well.

For substances prohibited in-competition only, they should apply for a TUE at least 30 days before their next competition. Please refer to the section “How to apply to **ETH-ADA** for a TUE?” below.

If their level is lower than the “National-Level” as defined above, they are entitled to apply for a retroactive TUE after being tested by **ETH-ADA** or any other Anti-Doping Organization (ADO). Lower-level athletes are defined as those athletes participating in the competitions organized at the regional state level or below.

Any regional level athletes can provide ETH-NADA with the TUE application and get the service by fulfilling the requirements and procedures set out for the National Level athletes as per the International Standard for Therapeutic Use Exemption (ISTUE) and World Anti –doping Agency Committee. However, the regional level athlete competing below National level are also classified as being allowed to apply for a retroactive TUE (rather than applying in-advance) by the World Anti –doping Agency Committee.

Important note:

A TUE granted by **ETH-ADA** is only valid at the national level. If they are, or become an International-Level Athlete, or compete at Major Games, that TUE will not be valid unless it is recognized by the relevant International Federation (IF) or Major Event Organization (MEO). It is their responsibility to check if the ETH-ADA’s TUE is automatically recognized by such IF or MEO.

ETH-ADA can assist them in the determination of their level and TUE application requirements, and should the need occur; assist them in presenting their ETH-ADA’s TUE to an IF or MEO for recognition.

Please contact

Hellen G. Michael

Mob: - +251911955649

Email: - tue@ethnado.org

Yiha City Center, on the 8th floor

APPLYING FOR RETROACTIVE TUE?

Athletes may only apply retroactively for a TUE to ETH-ADA if:

- **They required emergency or urgent treatment of a medical condition.**
- **There was insufficient time, opportunity or other exceptional circumstances that prevented them from submitting the TUE application, or having it evaluated, before getting tested.**
- **As per the anti-doping rules of ETH-ADA, they were not permitted or required to apply in advance for a TUE.**
- **They are a lower-level athlete who is not under the jurisdiction of an International Federation or ETH-ADA and were tested.**
- **They tested positive after using a substance Out-of-Competition that was only prohibited In-Competition (for example glucocorticoids).**

In rare and exceptional circumstances and notwithstanding any other provision in the ISTUE, they 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 **ETH-ADA**'s decision).

Important note:

Using a prohibited substance or method without a TUE could result in an Anti-Doping Rule Violation.

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

HOW TO APPLY TO ETH-ADA FOR A TUE?

ETH-ADA encourages submitting TUE applications via [ADAMS](#), together with the required medical file. If you do not have an ADAMS account yet, please contact *Hellen G. Michael via +251911955649 or Email; tamhel95@gmail.com* to have it set up.

Otherwise, please download the **ETH-ADA**'s TUE Application [Form ETH-ADA tue application form - electronic version](#) and once duly completed and signed, send it together with the required medical file to tamhel95@gmail.com or in person @Yiha City center on the 8th floor

Your TUE application must be submitted in a legible form using 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.

Athletes are responsible for any cost incurred for the completion of TUE including any required additional medical examinations, tests, imaging studies, etc.

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

Any TUE application submitted to ETH-NADO without medical documentation will be returned to the athlete and will not be processed.

Athletes also should ensure that their physician has correctly completed all medical information & diagnosis, medication details, and physician declaration sections in the TUE application form.

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 during the TUE application process, and [Medical Information to Support the Decisions of TPGs](#) 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.

WHAT HAPPENS AT MAJOR EVENTS?

A Major Event Organization (MEO) requires athletes to apply for the recognition of their TUE, if they wish to use a prohibited substance or method in connection with the Event.

If athletes have a TUE granted by **ETH-ADA** and they will be competing at a Major Event e.g., the Olympic Games, they should contact the MEO for information on their recognition process.

WHEN WILL ATHLETES RECEIVE A DECISION ON THEIR TUE APPLICATION [OR REQUEST FOR RECOGNITION]?

ETH-ADA's Therapeutic Use Exemptions Committee's must render a decision as soon as possible and usually within 21 days from the date of receipt of the complete TUE application, including the required medical information.

WHAT IF ATHLETES NEED TO RENEW THEIR TUE?

Each TUE has a specific duration, at the end of which it expires automatically. Should athletes need to continue to use the prohibited substance or method, it is their 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 shall be consistent with the terms of athletes' TUE. Therefore, if athletes require a materially different dosage, frequency, route, or duration of administration, they should contact **ETH-ADA**, as they 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 **ETH-ADA** Therapeutic Use Exemptions Committee.

WHAT IF THE TUE APPLICATION IS DENIED?

A decision to deny a TUE application includes a written explanation of the reason(s) for the denial. If it is not clear to the athlete, please contact **ETH-ADA** 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 **ETH-ADA**. Otherwise, Athletes may appeal the denial decision as to **ETH-ADA** Appeal Panel.

WHAT IF THE ETH-ADA'S TUE IS NOT RECOGNIZED BY THE INTERNATIONAL FEDERATION?

The athlete or **ETH-ADA** has 21 days to refer the matter to WADA for review after notification of the non-recognition. The athlete should send the same information that they submitted to **ETH-ADA**, and on which their Therapeutic Use Exemptions Committee based their decision, 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

Pending WADA's decision, **ETH-ADA**'s TUE remains valid for national-level competition and out-of-competition testing only. If the matter is not referred to WADA for review, **ETH-ADA** must determine whether the original TUE that was granted should remain valid for national-level Competition and Out-of-Competition Testing.

WILL THE ATHLETES' 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 athlete's TUE request is kept strictly confidential and treated in accordance with the Athlete's Declaration contained in the ADAMS TUE process *and in the **ETH-ADA**'s TUE Application Form [ETH-ADA tue application form - electronic version 2022](#)*. All members of the TUEC and any other authorized recipients of the Athletes' TUE request and related information (as described in the Athlete's Declaration) are subject to a professional or contractual confidentiality obligation.

Please review the terms of the Athlete's Declaration carefully. In particular, note that should athlete wish to revoke the right of the **ETH-ADA**'s Therapeutic Use Exemptions Committee to obtain the information related to your TUE request in accordance with the Athlete's Declaration, your TUE application will be deemed withdrawn without approval being granted.

The Athlete TUE request-related information will be retained by **ETH-ADA** and any other authorized 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 **ETH-ADA**'s personal information practices, please contact privacy@ethnado.org

If you have a doubt as regards to which organization you should apply for a TUE, or as to the recognition process, or any other question with regard to TUEs, please contact: **ETH-ADA** using the following address

Hellen G.Michael
Mob:- +251911955649
Email:- tue@ethnado.org
Yeha City Center, on the 8th floor

OTHER USEFUL LINKS:

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

[WADA Checklists for TUE Applications](#)

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

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