
ATHLETE'S THERAPEUTIC USE EXEMPTION PROCESS – NATIONAL ANTI-DOPING ORGANIZATIONS (NADOs)

WHAT IS A THERAPEUTIC USE EXEMPTION (TUE)?

Athletes, like all people, may have illnesses or conditions that require them to take particular medications or undergo procedures. If the medication or method an athlete is required to take/use to treat an illness or condition is included in the World Anti-Doping Agency's (WADA) Prohibited List, a Therapeutic Use Exemption (TUE) may give that athlete the authorization to take a substance or use a method that is prohibited.

Applications for TUEs are reviewed by a panel of experts, the TUE Committee (TUEC) who may give such permission.

WHAT ARE THE CRITERIA FOR GRANTING A TUE?

All of the four following criteria must be met (for more details, please refer to the WADA [International Standard for Therapeutic Use Exemptions \(ISTUE\) Article 4.1](#)):

- The athlete has a clear diagnosed medical condition which requires treatment using a prohibited substance or method;
- The therapeutic use of the substance would not produce significant enhancement of performance beyond the athlete's normal state of health;
- There is no reasonable therapeutic alternative to the use of the prohibited substance or method;
- 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.

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

First, check if the medication or method you intend to take or use appears on the Prohibited List.

(<http://www.adamas.gov.my/ms/atlet-adamas/senarai-bahan-dan-kaedah-larangan.html>)

You have the responsibility to inform your doctors that you are an athlete subject to doping control, and your doctors should check the Prohibited List whenever they prescribe a medication / method to you. If the substance / method is prohibited, check with your doctors if there are any alternative treatments that are not prohibited. If not, you have to apply for a TUE.

Second, check your competition level to determine to which organization, and when to apply for a TUE.

If you are a National-Level Athlete, [*Malaysian Athletes*] you must apply to **ADAMAS** in advance, as soon as the need arises, unless there are emergency or exceptional circumstances.

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

If your level is lower than the “National-Level” as defined above, *[Represent your state or Club, i.e, SUKMA]*, you are entitled to apply for a retroactive TUE after being tested by **ADAMAS** or any other Anti-Doping Organization (ADO).

Important note:

A TUE granted by **ADAMAS** is only valid at the national level. If you 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 your responsibility to check if your **ADAMAS**’s TUE is recognized by such IF or MEO without submitting a request for recognition.

ADAMAS can assist you in the determination of your level and TUE application requirements, and, should the need occur, assist you in presenting your **ADAMAS**’s TUE to an IF for recognition. Please contact *[Insert applicable contact details]*.

CAN I GET A RETROACTIVE TUE?

You may only apply retroactively for a TUE to ADAMAS if:

- Your competition level permits (i.e., you are not an International-Level Athlete as defined by your IF nor a National-Level Athlete as defined by **ADAMAS**; or
- An emergency or urgent treatment of a medical condition was necessary; or
- Due to exceptional circumstances, you had insufficient time or opportunity to submit, (or for the TUEC to consider), your application prior to sample collection; or
- It is agreed, by WADA and by **ADAMAS**, that fairness requires the grant of a retroactive TUE.

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 ADAMAS FOR A TUE?

[Note: only choose one option (1 or 2)]

[Option 1 – only through ADAMS]

You must use exclusively the TUE application form available in ADAMS, and the required medical file must also be submitted via ADAMS. If you do not have an ADAMS account yet, please contact **+60 03- 8871 3510** or email to adamas@kbs.gov.my to have your account set up.

[Option 2 – through ADAMS or paper format / electronic TUE form]

ADAMAS encourages TUE applications using the form available in ADAMS, and submitting the required medical file through ADAMS. If you do not have an ADAMS account yet, please contact **+60 03- 8871 3510** or email to adamas@kbs.gov.my to have your account set up.

Otherwise, please download the **ADAMAS's** TUE Application <http://www.adamas.gov.my/ms/atlet-adamas/borang-tue.html>, and once duly completed and signed, send it together with the required medical file to adamas@kbs.gov.my.

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

The medical file includes:

- 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.

[Cost is at the responsibility of the Athlete, 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.

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 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.

WHEN WILL I RECEIVE A DECISION ON MY TUE APPLICATION?

ADAMAS's TUEC's decision will be communicated in writing to you within 21 days from the date of receipt of the complete TUE application, including the required medical information, by **ADAMAS**.

WHAT ABOUT THE RENEWAL OF 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 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 your TUE. Therefore, in the event that, after your TUE is granted, you require a materially different dosage, frequency, route or duration of administration, you must apply for a new TUE.

WHAT IF MY ADAMAS'S TUE APPLICATION IS DENIED?

A decision to deny a TUE application includes an explanation of the reason(s) for the denial. If it is not clear to you, please contact **ADAMAS** to understand exactly why the TUE was denied. Sometimes, there may be a critical piece of information, diagnostic test, laboratory results missing, etc. Failing this, you may appeal the denial decision as follows:

[Non-recognition of TUE by ADAMAS, send appealing to National Arbitration Agency within 21 days after the decision.]

WHAT IF MY ADAMAS'S TUE IS NOT RECOGNIZED BY MY IF?

You or **ADAMAS** have 21 days to refer the matter to WADA for review after the decision was rendered by the TUEC by sending the same information that you submitted to your TUEC and on which they based their decision to deny the TUE via registered mail at:

WADA Medical Director
World Anti-Doping Agency
800, Square Victoria
Montreal, H4Z 1B7, QC Canada

Pending WADA's decision, **WADA's** TUE remains valid for national-level competition and out-of-competition testing only. If the matter is not referred to WADA for review, the TUE becomes invalid for any purpose when the 21-day review deadline expires.

WHAT ABOUT CONFIDENTIALITY?

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 *[For Option 2 in "How to apply" only:]*, add: and in the **ADAMAS's TUE Application Form** (<http://www.adamas.gov.my/ms/atlet-adamas/borang-tue.html>). All members of the TUEC and any other authorized 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 the terms of the Athlete's Declaration carefully. In particular, please note that should you wish to revoke the right of the **ADAMAS's** TUEC 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.

Your TUE request-related information will be retained by **ADAMAS** 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 **ADAMAS**'s personal information practices, please contact **+60 03- 8871 3510** or email to adamas@kbs.gov.my.

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: **+60 03- 8871 3510** or email to adamas@kbs.gov.my.

OTHER USEFUL LINKS:

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

[WADA Guidelines for Therapeutic Use Exemptions](#)

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

[WADA Checklists for TUE applications](#)

<http://www.adamas.gov.my/ms/>

<http://www.adamas.gov.my/ms/atlet-adamas/borang-tue.html>

<http://www.adamas.gov.my/ms/atlet-adamas/pengecualian-penggunaan-therapeutik.html>