



# **INTERNATIONAL CHEER UNION (ICU) PROCESS FOR THE ICU THERAPEUTIC USE EXEMPTION COMMITTEE (TUEC)**

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## **PURPOSE**

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In accordance with the International Standard for Therapeutic Use Exemptions (ISTUE) Article 5.2, the International Cheer Union (ICU) has established an independent TUEC to consider applications for grants and requests for recognition of TUEs (according to the World Anti-Doping Code and the ISTUE) and, in particular, the conditions set out in Article 4.1 of the ISTUE.

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## **COMPOSITION**

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The TUEC is composed of three (3) members, including the Chairperson.

Members are appointed for a term of two (2) years by the Chair of the ICU Anti-Doping Committee who appoints the TUEC – who also appoints the Chairperson.

Members shall be selected based on their relevant background and experience. All of them shall be physicians with experience in the care and treatment of athletes and have a sound knowledge of clinical, sports and exercise medicine. All TUEC member(s) shall possess general or specific experience in the care and treatment of athletes with impairments, for cases involving athletes with impairment(s).

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## **CONFLICT OF INTEREST AND CONFIDENTIALITY**

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The TUEC members shall not be employees nor have political or other official responsibility in the ICU.

They must sign the ICU's TUEC conflict of interest and confidentiality declaration referred to in a separate attachment and listed on the ICU website

Any TUEC member who is from the same country as an athlete applying for a grant or recognition of a TUE shall not be involved in that specific review.

Where the TUEC members require advice from external independent experts on a particular case (other than authorized WADA and the ICU experts and staff), the TUEC shall notify the ICU, and the ICU shall ensure that such experts are bound by a statutory or contractual duty of confidentiality.

In addition, the TUEC members shall ensure that experts are provided with only the minimum amount of personal information (if any) required to provide the requested advice, and shall comply with the ICU's further instructions regarding the secure transmission of information to such experts (including, for example, using encrypted file sharing or communication systems and, where possible, pseudonymizing or anonymizing personal information prior to transmission).

The TUEC members shall implement retention times of TUE-related documents as per Annex A of the WADA International Standard for the Protection of Privacy and Personal Information and shall securely destroy them accordingly.

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## **WORKING PROCEDURE**

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The ICU TUEC normally operates on the basis of consensus. In the event of divergence of opinion or disagreement concerning a follow-up action or decision, the absolute majority will rule.

The ICU has the option of establishing specific protocols, including working procedures, panels for evaluation, designated procedures on a case-by-case basis, timelines specific to each case as well as other procedures that are specifically inherent to a particular case. The ICU should assume to make such decisions in the best interests of the WADA Code as well as its obligations as a signatory and to be consistently fair and accurate throughout the evaluation process.

The TUEC shall render its decision as soon as possible, and, in any case, within no more than 21 days of receipt by the ICU's administration of a complete application or request for recognition. Where a TUE application is made within a reasonable time prior to an event, the TUEC must use its best endeavors to issue its decision prior to the start of the event.

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## **SPECIFIC PROCEDURE AT ICU WORLD CHAMPIONSHIPS, CONTINENTAL CHAMPIONSHIPS AND OTHER ICU INTERNATIONAL EVENTS, SO DESIGNATED**

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The TUEC Chairperson will appoint an adhoc TUE Panel composed of a minimum of three (3) physicians from the TUEC members, to ensure that athletes competing at the above mentioned event(s) have the ability to obtain TUEs quickly and efficiently before and during the event.

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### **REVIEWING AND REPORTING**

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The TUEC shall refer to the [WADA Medical Information to Support the Decisions of TUECs](#) and [Checklists for TUE applications](#) for guidance in reviewing TUE applications or requests for recognition and making decisions.

A TUE application is deemed complete if it enables the TUEC to determine if the criteria set forth in Article 4.1 of the ISTUE are satisfied. The TUEC may request additional information, examinations, tests, imaging studies, etc., from the athlete or his/her physician, and/or involve other medical experts.

The TUEC may grant or recognize a retroactive TUE only if it meets the criteria set forth in the ISTUE Article 4.3. Where fairness requires the grant of a retroactive TUE, under ISTUE Article 4.3.d, WADA agreement is necessary.

The TUEC decision must be reported in writing to the athlete and into ADAMS, in English or French:

- A decision to grant or recognize a TUE must be reported using the ICU's TUE Certificate of Approval, specifying the dosage (s), frequency, route and duration of administration of the prohibited substance or method, and any conditions imposed in connection with the TUE.
- A decision to deny or not recognize a TUE includes reasons and the ICU's appeal process.
- Once a TUE is granted, the ICU will confirm such approval with the respective National Federation whereupon such TUE was originally submitted from.
- Reporting TUE Approval Certificates will be managed by the ICU Anti-Doping Chairperson with copies being sent to the Secretary General, the President and the designated individual representing the Anti-Doping organization that is associated or licensed or hired by the ICU to manage the Doping Control process.
- All such information will be promptly reported to ADAMS, the specific process to be determined by the Chairperson of the ICU Anti-Doping Committee.
- The ADAMS generated certificate may be used independently or with a reference from the ICU. Such procedures will be instituted and will be consistent throughout this process.

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## USEFUL LINKS / DOCUMENTS

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

[WADA Guidelines for Therapeutic Use Exemptions](#)

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

[WADA Medical Information to Support the Decisions of TUECs](#)

[WADA Checklists for TUE applications](#)

[TUEC – Conflict of Interest and Confidentiality Declaration](#)

[Physician TUE rejection letter template](#)

*[Insert other relevant links as applicable]*

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