1. General Principles

The Ultimate Fighting Championship (“UFC”) Policy for Therapeutic Use Exemptions (the “UFC TUE Policy” or “Policy”) is based upon the relevant provisions of the UFC Anti-Doping Policy (the “UFC ADP”). This Policy is informed by the following general principles which provide the context for the UFC TUE Policy.

It is each Athlete’s personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Source: UFC ADP, Article 2.2.1.

Athletes with documented medical conditions requiring the use of a Prohibited Substance or a Prohibited Method must request a Therapeutic Use Exemption (“TUE”) from USADA prior to the Use of the Prohibited Substance or Prohibited Method, except as provided in Section 3 with respect to the processing of applications for retroactive TUEs. All TUE applications will be evaluated by the Therapeutic Use Exemption Committee (“TUEC”) established by USADA.

If emergency treatment of an Athlete requires the Use of a Prohibited Substance or Prohibited Method, the Athlete must submit a TUE application to USADA with full medical documentation from the emergency as soon as possible after the start of the treatment. In such cases, the decision for the emergency TUE request will be made by the TUEC after treatment has taken place.

WARNING: Because excretion rates for various substances vary between individuals, for substances which are prohibited only In-Competition, Athletes are advised to ensure sufficient time for any such substance to clear their body before participating in a Bout in order to avoid an anti-doping policy violation. Of course, discontinuance of a medication can also have adverse health consequences and should never be undertaken without consultation with the Athlete’s physician and a full appreciation of the risks involved. The only completely safe method for an Athlete to Use a Prohibited Substance without risking an anti-doping policy violation is to obtain a TUE prior to the Use of a Prohibited Substance or Prohibited Method.

2. Definitions

A complete list of definitions that are relevant to this UFC TUE Policy can be found in Appendix 1 of the UFC ADP. In addition, the definitions listed below have particular importance in applying this Policy. Throughout this Policy and as demonstrated in this Section below, terms defined in the UFC ADP are written in italics and terms specific to this UFC TUE Policy are underlined.

Adverse Analytical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the International Standard for Laboratories and related Technical Documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.

Athlete: Any fighter who is under contract with UFC, or participates as a fighter in UFC Bouts, or is scheduled to participate as a fighter in UFC Bouts.

Athletic Commission: Any regulatory body established or recognized by a state or other governmental entity with authority to regulate, approve, sanction or license mixed martial arts competitions or the Participants in those competitions.

Bout: A mixed martial arts contest or exhibition promoted or otherwise conducted by UFC.

In-Competition: “In-Competition” means the period commencing six hours prior to the commencement of the scheduled weigh-in and ending six hours after the conclusion of the Bout.
Prohibited List: The List identifying the Prohibited Substances and Prohibited Methods.

TUE: Therapeutic Use Exemption, as described in [UFC ADP] Article 4.4.

TUEC: The panel established by USADA to consider applications for TUEs.

Use: The utilization, application, ingestion, injection or consumption by any means whatsoever of any Prohibited Substance or Prohibited Method.

3. Policy for UFC Athletes

USADA will process TUE applications for UFC Athletes in accordance with this UFC TUE Policy.

A UFC Athlete may apply to USADA for a TUE for any Prohibited Substance at any time; however, such applications should be complete and received by USADA in accordance with the following timeline:

a. At least twenty-one (21) days in advance of the Athlete’s intended Use of the prohibited medication when the Athlete is not scheduled to participate in a Bout, or

b. At least ninety (90) days in advance of the Athlete’s intended Use when the Athlete is scheduled to participate in any Bout more than ninety (90) days in the future; or

c. As soon as practicable when the Athlete is scheduled to participate in a Bout with less than ninety (90) days advance notice.

USADA will consider late filed or applications for retroactive TUEs; however, the Athlete does so at his or her own risk as USADA makes no guarantee regarding the processing of a TUE under such circumstances. Furthermore, in such instances, the Athlete may be charged up to the full cost for processing the TUE application where such filing, in the determination of USADA, is not attributed to factors outside the Athlete’s control.

USADA will make best efforts to expedite late filed TUE requests in advance of the Athlete’s intended Use based on exceptional circumstances, but makes no guarantees regarding the processing of TUE applications under that timeframe.

Furthermore, applications for retroactive TUEs will only be considered where the Use of the Prohibited Substance or Prohibited Method is medically justified. Athletes are cautioned that the Use of a Prohibited Substance or Prohibited Method without prior TUE approval is at their own risk and that the only way to ensure such Use will not result in an anti-doping policy violation is by obtaining a TUE prior to the Use of any such substance or method.

4. Coordination with Athletic Commissions

UFC or USADA will attempt to coordinate TUE applications with applicable Athletic Commissions. UFC Athletes are on notice, however, that because UFC and USADA do not control Athletic Commission decisions to recognize a UFC TUE or to grant their own TUEs, UFC Athletes should not use any substance or method prohibited by an Athletic Commission unless they are certain that an Athletic Commission TUE is in place. In addition, any Athlete who obtains a TUE from an Athletic Commission or other Anti-Doping Organization, will still need to apply for a UFC TUE. As a condition of USADA’s consideration of TUE applications, Athletes acknowledge and agree that their TUE applications and other information submitted or considered in connection with those applications, including decisions of the USADA TUEC, may be shared with any applicable Athletic Commission.
5. Appeal

In the case of any TUE denial, an Athlete will be provided a detailed explanation as to why their TUE application did not meet the criteria for approval. Any Athlete may request further information about a denial, and may request a medical review from USADA by contacting the USADA Science Director.

Athletes may appeal a TUE denial pursuant to the Hearing Protocol in Annex A of the UFC ADP after exhaustion of the administrative review provided in the UFC ADP and in this UFC TUE Policy.

6. Effective Date

The effective date of this UFC TUE Policy (version 1) shall be July 1, 2015. This Policy shall not apply retroactively to matters pending before July 1, 2015.

7. Amendments

This UFC TUE Policy may be amended from time to time by USADA. Unless otherwise indicated, all amendments shall be effective no earlier than thirty (30) days after publication on the UFC anti-doping website (www.UFC.USADA.org), with the precise effective date (and version) to be indicated in Section 6, above. It is each Athlete’s responsibility to regularly check UFC’s anti-doping website to ensure that they are consulting the most up to date version of this and other anti-doping related policies.