

2015 LPGA THERAPEUTIC USE EXEMPTION (TUE) APPLICATION

Please complete ALL sections. Type or print in block letters in blue or black ink. Incomplete applications will be returned and will need to be resubmitted. This application must be completed in ENGLISH.

1. **Player Information (Indicate the address to which all correspondence relating to TUEs should be sent.)**

Last Name: _____

First Name: _____

Playing Name (If different from above): _____

Date of Birth (month/day/year): _____

Mailing Address: _____

City: _____ State: _____

Zip Code: _____ Country: _____

Please type or print ALL telephone and fax numbers where you can be reached, including country code and area code:

Contact Phone: _____

Mobile Phone: _____

E-mail: _____

Fax Number: _____ Attention: _____

TUE reply to be sent to: (Please select one option by ticking the appropriate box)

Fax: _____

E-mail: _____

2. Prescribing Medical Doctor Information

Last Name: _____

First Name: _____

Qualifications: (e.g. M.D., D.O., etc.) Medical Specialty: _____

U.S. States in which licensed: _____

(If not U.S. State licensed, please provide qualifications to prescribe) _____

Mailing Address: _____

City: _____ State: _____

Zip Code: _____ Country: _____

Please type or print ALL telephone and fax numbers including country code and area code:

Contact Phone: _____

Mobile Phone: _____

E-mail: _____

Fax Number: _____

Other: _____

3. Medical Information: Diagnosis with sufficient medical information

Evidence confirming the diagnosis must be attached and forwarded with this application. In those cases where the evidence is not written in English, a summary in English must be enclosed. The medical evidence should include all condition-specific requested records, all evidence confirming the diagnosis, copies of the original reports and/or letters, a comprehensive, relevant medical history and the results of all relevant examinations, laboratory investigations and imaging studies (Any additional relevant investigation, examinations or imaging studies requested by the *TUE Panel* or the *Administrator* will be undertaken at the expense of the *Player*). The *Player* must have been examined by an appropriately qualified and licensed doctor, as confirmed by *LPGA*, within the last 12 month period prior to submitting the *TUE* application. Evidence should be as objective as possible in the clinical circumstances, and in the case of non-demonstrable conditions, independent supporting medical opinion should accompany this application.

Patient's Year of Birth: _____

Diagnosis: _____

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Intended duration of treatment: (Please tick appropriate box).

- One-Time Only
- Emergency
- Duration (weeks/months): _____

In the case of an emergency treatment, please indicate all relevant information to explain the emergency.

5. Medical Practitioner’s Declaration

I certify that the above-mentioned treatment is medically appropriate and that the *Use* of alternative medications not on the *LPGA Prohibited List* would be unsatisfactory for this condition.

Name of Doctor: _____

Signature of Doctor: _____

Date: _____

Please include the following information if it differs from what was provided in Section 2 “Prescribing Medical Doctor Information”

Medical Specialty: _____

U.S. State Licensure: _____

(If not U.S. State licensed, please provide qualifications to prescribe) _____

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6. Pharmacy Information

Evidence confirming that the *Prohibited Substance* has been appropriately obtained must be attached and forwarded with this application. Please provide the requested information below regarding the pharmacy(ies) where the prescription for the *Prohibited Substance* has been filled or refilled over the past 6 months. Attach the fill or refill detail (e.g. printout) from each pharmacy.

Pharmacy Name	Address (City, State, Zip, Country)	Phone Number	Date(s) Provided	Quantity (e.g. 60 tablets)	Name of Pharmacist

7. Previous TUE Applications

Have you submitted any *TUE Applications* over the past two years to any sports organization or drug testing agency on behalf of the *Player*? (Please check one)

Yes

No

(If yes, please attach copies of the *TUE Applications* and all attachments, as well as all related correspondence with the sports organization or testing agency.)

For which substance(s)? (Generic Name/Active Ingredient)

To whom was it submitted? _____

When was it submitted? _____

Was it approved? _____

8. *Player's Declaration*

I, _____, certify that the information provided in this *TUE Application* is accurate and that I am requesting approval to *Use a Prohibited Substance(s)* from the *LPGA Prohibited List*. I voluntarily authorize the release of my personal medical information to the *LPGA*, including its *TUE Panel* and *TUE Appeal Specialist*. I understand that I may revoke the right of the *LPGA*, including its *TUE Panel* and *TUE Appeal Specialist* to obtain and review my personal medical information at any time, and that such revocation must be sent to my doctor and the *LPGA* in writing. Upon receipt of such revocation, the *LPGA* shall have a reasonable amount of time in which to comply. Further, I understand and agree that my refusal to allow the *LPGA* and/or its *TUE Panel* and *TUE Appeal Specialist* to review relevant medical information about me may result in the denial of any application I have pending, or the revocation of any application that has previously been granted, for an *LPGA TUE*.

I am aware that the *LPGA*, and its *TUE Panel* and *TUE Appeal Specialist*, will be processing and/or evaluating my proposed *Use of a Prohibited Substance* in connection with this *Application*. I understand that neither the *LPGA*, nor its *TUE Panel* and *TUE Appeal Specialist*, are providing medical advice to me in connection with any information disclosed on this *TUE Application*. I understand that I must obtain medical advice from a qualified doctor before taking or stopping any medication or course of treatment for any health

condition that I may have. I also understand that no decision respecting this *TUE Application* in any way indicates whether I should or should not follow my doctor's medical advice regarding any health condition that I may have.

I, for myself, personal representatives, assigns, heirs and next of kin hereby release, waive discharge and covenant not to sue the *LPGA*, its officers, directors, members, employees, the Administrator, volunteers, or the *LPGA Medical Advisory Committee*, the *LPGA TUE Panel*, the *LPGA TUE Appeal Specialist*, and any arbitrators who adjudicate cases arising under the *LPGA's Anti-Doping Program* (collectively, and for the purposes of this release and waiver, the "Releasees"), from all liability to the undersigned, my personal representatives, assigns, heirs and next of kin for any and all loss or damage and any claims or demands therefore on account of injury to my person or property or resulting in death of the undersigned, whether caused by the negligence of the Releasees or otherwise, with respect to the processing, review or decision-making related to this *TUE Application*.

I further expressly agree that the foregoing release and waiver agreement is intended to be as broad and inclusive as is permitted by the law of the state of Florida.

Player's Signature: _____

Date: _____

If the *Player* is a minor or has a disability preventing her from signing this form, a parent or guardian shall sign together with or on behalf of the *Player*.

Parent/Guardian's Signature: _____

Date: _____

Incomplete Applications will be returned and will need to be resubmitted

Please submit the completed application and keep a copy for your records. This form, all required medical documentation, and a check or money order for \$100.00 (except for a renewal TUE application that relates to use of the same medication previously approved) shall be sent in a sealed envelope marked "CONFIDENTIAL" via overnight courier (mail, Federal Express, UPS, Airborne Express, or DHL) or certified mail to:

LPGA
Attn: *TUE Applications*
100 International Golf Drive
Daytona Beach, FL 32124-1092
Phone: 386-274-6284

PLEASE DO NOT FAX TUES OR OTHER SUPPORTING DOCUMENTS

**TUES WILL NOT BE PROCESSED WITHOUT RECEIPT OF \$100.00 FILING FEE
(EXCEPT FOR A RENEWAL TUE APPLICATION THAT RELATES TO USE OF THE
SAME MEDICATION PREVIOUSLY APPROVED)**

Checks should be made payable to: Ladies Professional Golf Association or *LPGA*

2015 LPGA Therapeutic Use Exemption (TUE) Application Procedures¹

The *LPGA Prohibited List* includes substances that enhance performance, harm health, and/or mask the *Use* of other prohibited drugs.

The *LPGA* recognizes that some banned substances have legitimate medical *Uses*. Accordingly, the *LPGA* allows an exception to be made for a *Player* with a documented medical history demonstrating the need for *Use* of a *Prohibited Substance*, provided that the performance enhancing effects are minimal or eliminated.

1. *TUEs*: What are they?

Players with a documented illness or medical condition, which negatively impacts their health and ability to function normally and requires the *Use* of a medication that is included on the *LPGA Prohibited List*, may request a *TUE*. If granted, the *TUE* will authorize a *Player* to take the medication needed in the manner provided in the *TUE*.

2. When to apply for a *TUE*

- A. A *Player* may **apply** for a *TUE* at any time. **However, if *Players* would like to guarantee that their applications are processed before the start of the 2015 season, they must submit their applications on or before December 15, 2014.** Thereafter, *Players* should submit their applications no less than 45 days prior to participation in their next scheduled *Tournament*. A *Player* may not *Use* a *Prohibited Substance* until **after** a *TUE* is granted.
- B. Any *Player* who *Uses* a *Prohibited Substance* prior to the *TUE* being granted does so entirely **at her own risk**.
- C. Applications for *TUEs* will **not** be approved retroactively except in emergency cases. The submission of a retroactive *TUE* may require the payment of a fee up to Two Thousand Five Hundred Dollars (\$2,500), at *LPGA*'s discretion in each case.
- D. If the substance to be *Used* is not on the *Prohibited List*, a *Player* does not need to apply for a *TUE*.

3. Criteria for obtaining a *TUE*

TUEs will be granted only in the following circumstances:

- A. The *Player* has a properly diagnosed medical condition and would experience a significant **impairment to her health** if she does not *Use* the substance for which a *TUE* is requested.

¹ Subject to amendment by the *LPGA*

- B. There is **no reasonable therapeutic alternative** medication or treatment for the *Player's* medical condition that is **not** on the *LPGA Prohibited List*.
- C. The *Use* of the *Prohibited Substance* will produce **no additional enhancement** of performance, other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition.
- D. A *TUE* can be cancelled if:
 - i. The *Player* does not promptly comply with any requirements or conditions imposed when the *TUE* was granted.
 - ii. The time period for which the *TUE* was granted has expired.
 - iii. The *Player* is advised that the *TUE* is withdrawn due to incorrect or misleading information provided by the applicant that is discovered after the fact, or due to a change in the *Player's* health condition.

(Note: the *Use* of any *Prohibited Substance* to increase “low-normal” levels of any endogenous hormone is **not** considered an acceptable therapeutic intervention and will not receive a *TUE*.)

4. Application procedure for a TUE

Prior to using a *Prohibited Substance*, a *Player* must submit a *TUE* Application to the *LPGA*. The *TUE* Application is available in the Anti-Doping section of *LPGA.com* and the *LPGA Player Extranet*.

- A. A *TUE* Application will be considered only if it is **complete** and accompanied by a \$100.00 application fee (except for a renewal *TUE* application that relates to use of the same medication previously approved). Incomplete applications will be returned to the *Player* without approval and will need to be resubmitted. The *Player* is responsible for providing **all** information requested on the *TUE* Application (e.g. contact details, medication details, pharmacy details, medical documents, and laboratory results).
- B. The *TUE* Application must be **typed or printed in English in block letters in blue or black ink.**
- C. The *LPGA* and the *Medical Advisory Committee* and the *TUE Appeal Specialist* will work to make the administrative and decision-making process as expeditious as possible. Incomplete or illegible applications, or lack of cooperation from a *Player* or her doctor(s), **will cause a delay in the administration process.**
- D. The medical information shall be provided by an appropriately qualified and licensed doctor, attesting to the necessity of the *Use* of the *Prohibited Substance*.

- E. The following documents must be provided in support of a *TUE* (all of which shall be up-to-date (i.e., documentation from the prior 12-month period) and accurate in form and substance):
- All condition-specific requested records
 - All evidence confirming the diagnosis
 - Copies of the original reports or letters
 - A comprehensive medical history and the results of all relevant examinations, laboratory investigations and imaging studies relevant to the application. (Any additional relevant investigations, examinations or imaging studies requested by the *TUE Panel* or the *Administrator* will be undertaken at the expense of the *Player*.)
 - A statement by a qualified physician attesting to the necessity of the otherwise *Prohibited Substances* or *Prohibited Method* in the treatment of the *Player* and describing why an alternative permitted medication cannot, or could not, be used to treat this condition
 - In the case of non-demonstrable conditions, an independent supporting medical opinion may be required in support of the *TUE* Application.
- F. The *TUE* Application process will be treated in a **strictly confidential** manner, however, a *Player* must grant written permission for the *LPGA*, its *TUE Panel* and *TUE Appeal Specialist*, if applicable, to review the medical records submitted with her *TUE* Application.
- G. The *TUE Panel* and the *TUE Appeal Specialist* reserves the right to make additional requests it deems necessary to make an informed decision on whether to grant or deny a *TUE* (which may include, without limitation, submission of additional information; or, testing procedures, in-person analysis performed by an independent physician selected by *LPGA*, or other procedures requested by *LPGA* or the *TUE Panel* or *TUE Appeal Specialist* which the *LPGA* and/or *TUE Panel* and/or *TUE Appeal Specialist* deem reasonably necessary to confirm a diagnosis or other medical inquiry or to make an informed decision regarding the submission and/or analysis of a *Player's TUE*).
- H. The *TUE* Application will be examined by an *LPGA TUE Panel*, a panel of qualified medical and/or legal professionals, who will determine whether the *TUE* shall be granted or denied.
- I. If a *TUE* is granted, the *Player* can begin using the *Prohibited Substance* only after receiving the written decision of the *TUE Panel* or *TUE Appeal Specialist*, and only under the conditions (if any) stated in the decision.
- J. If the *Player* starts using the *Prohibited Substance* **prior** to receiving authorization from the *LPGA* as indicated above, the *Player* does so **at her own risk**.

- K. *TUEs* cannot be renewed after expiration without a new medical consultation and confirmation (within the prior 12 month period) of the request by the *Player's* physician with appropriate supporting documentation (including the submission of a new *TUE* Application).

5. Effect of granting of *TUE*

- A. The *TUE Panel* will return its decision to the *LPGA Administrator*, who will forward it to the *Player* in the mode she requested. The *Player* may appoint a third person to receive this communication on her behalf in writing.
- B. Any *TUE* Application that is approved **is only valid during the time period specified by the TUE Panel.** It shall be within the sole discretion of the *TUE Panel* or *TUE Appeal Specialist* to issue *TUEs* for longer than one year.
- C. *Players* are responsible for insuring that their *TUEs* are kept current and up-to-date. *Players* should not assume that they will be granted a *TUE* in the future based on the fact that they had previously been granted a *TUE* in the past. Each new *TUE* Application will be reviewed on its merits, regardless of previous decisions to grant or deny a *TUE*. If the term of a *TUE* will expire while the *Player* is still using the *Prohibited Substance* related to that *TUE*, the *Player* is responsible for resubmitting a *TUE* Application with respect to that *Prohibited Substance*. New *TUE* Applications should be submitted in enough time for a decision to be rendered prior to the expiration of the current *TUE*. *TUEs* cannot be renewed after expiration without a new medical consultation and confirmation (within prior 12 month period) of the request by the *Player's* physician with appropriate supporting documentation (including the submission of a new *TUE* Application).

6. Procedures for challenging the granting or denial of a *TUE*

- A. The granting or denial of a *TUE* may be subject to review. Either the *Player* or the *LPGA* may challenge the decision of the *TUE Panel* by sending a **written** notice of appeal to the *LPGA Administrator* of the *LPGA* **within 14 business days** after the *Player* is notified of the decision of the *TUE Panel*.
- B. Once an appeal is requested, by either the *Player* or the *LPGA*, at the discretion of the Administrator, a hearing may be held by a *TUE Appeal Specialist* **within 15 business days** after receiving all relevant medical documentation.
- C. Decisions rendered by the *TUE Appeal Specialist* will be **final and unreviewable.**

Refer to the full text of the *TUE* Application process and procedures contained in the 2015 *LPGA Anti-Doping Program Protocol*.

Questions regarding the *LPGA TUE* Application process may be directed to the *LPGA Administrator* at:

LPGA

Attn: *TUE Applications*

**100 International Golf Drive
Daytona Beach, FL 32124-1092**

Phone: (386) 274-6284

E-mail: Josh.Kane@lpga.com
