

## **ITF - Tennis player medication disclosure facility ('ITF-MDF')?**

(A LinkedIn Post by Carl Islam 08.03.2016)

The 'Prohibited List' page at <http://www.itftennis.com> states,

*'Under the Tennis Anti-Doping Programme, players are tested for banned substances and methods in accordance with the prohibited list of the World Anti-Doping Code (from WADA, the World Anti-Doping Agency). The 2016 Prohibited List is available to download below. A summary of changes to the list from the 2015 version is also included...If you would like to check whether a supplement or medication contains a prohibited substance; please complete a 'Product Information Request' form. The completed form should then be sent to IDTM using one of the following methods:...'*

In addition, should there be a disclosure facility, i.e. for a player's doctor to send a list of any medication a player is taking or would like to take, for in effect pre-approval by an ITF named expert (for which a list of medical practitioners could be established around the world)? Voluntary confidential disclosure could then provide a complete legal defence if a player subsequently failed a drugs test as a result of taking any disclosed form of medication or combination of disclosed drugs.

This could be linked to sponsorship, as sponsors could require production of a current list of disclosures before entering into a contract with a player, and under the contract require the player to inform them of any changes, and to file a disclosure list at least once every 12 months. Subject to exclusions from liability, and an overall limitation of liability in aggregate (i.e. a financial cap), these obligations could be underwritten by contractual warranties and a full indemnity.

To incentivise disclosure, thereby wipe the slate clean, and restore public confidence in the integrity of the sport, the disclosure facility could operate as an amnesty for a fixed period of time, e.g. until 01.01.2018.