

2. A Player refuses or, without good cause, fails to take a test pursuant to Section 3.A or 3.C, or otherwise engages in activity that prevents the collection of a specimen for testing as contemplated by the Program.
3. A Player attempts to substitute, dilute, mask or adulterate a specimen sample or in any other manner alter a test.

The determination of whether a test is “positive” under Section 3.E.2 and 3.E.3 shall be made by the IPA. The presence of a diuretic or masking agent in a Player’s sample shall result in the Player being re-tested. The presence of a diuretic or masking agent in a Player’s sample shall be treated as a positive test result if the IPA determines that the Player intended to avoid detection of his use of a Prohibited Substance.

F. Multiple Disciplines for the Same Use

Players shall not be subjected to multiple disciplines as a result of the same use of a Prohibited Substance. Whenever a Player alleges that a positive test result under this Program is the result of the same use of a Prohibited Substance that produced a prior positive test result (under either this Program or Major League Baseball’s Minor League Drug Prevention and Treatment Program), the IPA shall refer the matter to the Medical Testing Officer for a determination as to whether, in the Medical Testing Officer’s opinion, the subsequent positive test result was from the same use. The Medical Testing Officer should treat the result as a distinct violation of the Program only if the Medical Testing Officer concludes with reasonable certainty that the subsequent test result was not from the same use of a Prohibited Substance as the prior positive test result. (See Section 9.C.1(b) below).

G. Therapeutic Use Exemption

1. A Player authorized to ingest a Prohibited Substance through a valid, medically appropriate prescription provided by a duly licensed physician shall receive a Therapeutic Use Exemption (“TUE”). To be “medically appropriate,” the Player must have a documented medical need under the standards accepted in the United States or Canada for the prescription in the prescribed dosage. A urine sample which is found to contain a Prohibited Substance will not be deemed a positive test result if such sample was provided by a Player with an effective TUE for that substance. A Player with a TUE for a Prohibited Substance does not violate the Program by possessing or using that substance.
2. A Player seeking a TUE must notify, or cause the issuing physician to notify, the IPA of the existence of the prescription. Whenever requested to do so by the IPA, the Player shall provide, or cause the issuing physician to provide, documentation supporting the issuance of the prescription. If the issuing physician is not duly licensed in the United States or Canada, the IPA shall request that the Player provide such documentation. The IPA shall notify the Player and counsel for the Association of any request for documentation.