



AMA Supercross Substance Abuse Policy & Testing Procedures

The following American Motorcyclist Association Supercross Substance Abuse Policy & Testing Procedures (“Policy”) are implemented and enforced solely and exclusively by the American Motorcyclist Association (“AMA”). Compliance with the policy and participation in the testing program is mandatory for all AMA Supercross participants.

This Policy, as it may be amended from time to time, is a supplement to the provisions of the AMA Rules for Professional Supercross Competition (AMA Supercross), and will be interpreted, enforced and applied by the AMA. This Policy is binding upon all AMA Supercross Participants in the same manner and to the same extent as the AMA Rules for Professional Supercross Competition.

Persons participating in any AMA Supercross must agree to the following:

“I recognize the importance of maintaining the safety and integrity of professional motorcycle racing. Accordingly, I agree to strictly comply with AMA Rules for Professional Supercross Competition and the Supercross Substance Abuse Policy & Testing Procedures (“Policy”). I understand that my agreement to comply with the Policy is an essential precondition to the issuance of a professional license and that I must abide by the Policy and submit to such testing procedures as may be conducted from time to time at the sole discretion of the AMA and its testing administrator and medical staff as a condition of continued licensure. I hereby authorize the testing administrators and medical staff to contact my physician(s) and medical health care provider(s) and I give my consent to disclose my medical history, including prescriptions, for the purpose of any investigation. I further understand that any violation of the Policy, or failure or refusal to submit to testing, will result in immediate disciplinary action up to and including the ineligibility of my privilege to participate in any AMA-sanctioned events. I further consent to the public release and publication of my test results.”

INTRODUCTION

Through a comprehensive random and for-cause testing program, the AMA Supercross Substance Abuse Policy & Testing Procedures are designed to confirm that AMA Supercross competitors are uninfluenced by performance enhancing substances and methods or other prohibited substances, and that periodic testing of athletes will provide a level playing field for AMA Supercross competitions. The AMA prohibits the misuse of alcohol, prescription drugs or any substance used in a manner that affects or impacts the integrity of the competition, including, but not limited to illegal or performance enhancing substances. Ultimate responsibility for compliance with this Policy is with each competitor.

SECTION 1 – POLICY ADMINISTRATION

This Policy will be administered and implemented through a program administrator, medical review officer, testing laboratories and substance abuse professional(s) through agreement with Aegis Sciences Corporation.

1.1 PROGRAM ADMINISTRATOR (PA)

- a. The AMA has designated **Mindy Shelby, Ph.D.**, Aegis Sciences Corporation (“Aegis”) as the Program Administrator (“PA”) for the Policy.
- b. The PA is responsible for, among other things, administering collection of samples/collections under this Policy, coordinating secure shipment of specimens to the testing facility, ensuring thorough and accurate scientific testing of specimens, determining whether any AMA Licensed Participant has tested positive for prohibited substances or otherwise violated this Policy, and informing the AMA and the Participant of any such violation. In making this determination, the PA shall consider all information derived from the testing process, as well as all information derived from the independent investigation of the Medical Review Officer (MRO).
- c. The PA shall facilitate evaluations for AMA Supercross Participants for the Return to Competition Program by coordinating with the appropriate substance abuse professional(s) in designing a Return to Competition Plan that may include substance abuse counseling, treatment or rehabilitation, as well as race sanctions for confirmed positive test results.

1.2 MEDICAL REVIEW OFFICER (MRO)

- a. The AMA has designated **Douglas Aukerman, MD**, as the Medical Review Officer (“MRO”) for the Policy.
- b. The MRO is an independent and impartial physician responsible for receiving and reviewing laboratory results generated pursuant to this Policy and determining whether there is a legitimate medical explanation for a positive test or refusal to test because of adulteration, substitution or other non-negative test.
- c. The MRO shall be a board-certified Sports Medicine physician and a medical review officer certified by the American Association of Medical Review Officers (AAMRO).
- d. The AMA reserves the right to designate other MROs, as needed, to facilitate this Policy throughout the year.

1.3 TESTING LABORATORY

- a. All testing pursuant shall be conducted by Aegis Sciences Corporation (“Aegis”).
- b. Aegis shall administer the collection, transport, and testing of urine, blood and/or saliva specimens and shall communicate the results to the PA and MRO as needed.
- c. The AMA reserves the right to designate other appropriately qualified testing facilities, as needed.

SECTION 2 – AMA SUPERCROSS PARTICIPANTS SUBJECT TO TESTING

2.1 MANDATORY PARTICIPATION

This policy is provided to AMA Licensed Supercross Participants in accordance with the AMA license agreement. Compliance with the AMA Supercross Substance Abuse Policy & Testing Procedures and participation in its testing program is mandatory for all licensed participants and as a condition of their AMA Supercross license.

2.2 PERFORMANCE ENHANCING SUBSTANCE TESTING

Participant-provided specimens or samples shall be tested for a selection of known performance enhancing substances to determine if any tested Participants are utilizing or consuming prohibited substances that might improve, enhance or alter their competitive capabilities.

SECTION 3 – PROHIBITED SUBSTANCES AND ACTS

3.1 ILLEGAL USE OF DRUGS

- a. AMA Supercross Participants are prohibited from using, having in their system, possessing, purchasing, selling and/or participating in the distribution of any drug that is illegal to possess, use, and/or distribute by the laws of the United States of America and/or any of its 50 states, regardless of the amount, at any time.
- b. For the purposes of this Policy, federal bans and definitions of illegal substances supersede any state and/or local ordinance, regulation or law permitting the use of a substance.

3.2 PROHIBITED SUBSTANCES DEFINED

Prohibited substances are those substances that, in the PA’s and MRO’s determination, may adversely affect the performance of an AMA Supercross Participant, including without limitation, performance enhancing substances, illicit drugs or other substances for which the Participant does not have a legitimate medical exemption for their use. The PA and MRO may make this determination with respect to a particular substance at any time, including and without limitation at the time of discovery of the substance following a drug test.

- a. Prohibited Substances include, but are not limited to, illegal drugs such as marijuana (THC), cocaine, and hallucinogens.
- b. Prohibited Substances also include drugs or chemicals that may be used to alter a sample with the intent to defeat a drug test.
- c. Alcohol, if used improperly as defined by this Policy, is also considered a Prohibited Substance.

- d. Furthermore, the definition of Prohibited Substances also includes, without limitation, paraphernalia associated with illegal drug use and mind-altering and/or addictive substances, which are not sold as drugs or medicines, but are used or marketed for their mind or behavior-altering effect.

3.3 PROHIBITED SUBSTANCES SPECIFIED

a. STIMULANTS

Including without limitation:

Cocaine
Amphetamine
Methamphetamine
Ecstasy (MDMA)
Eve (MDEA)
MDA
PMA
Phentermine, and other amphetamine derivatives and related compounds

b. NARCOTIC ANALGESICS

Including without limitation:

Fentanyl
Hydromorphone
Meperidine
Methadone
Morphine
Oxycodone
Oxymorphone
Heroin and/or their chemical and pharmacological analogs and related compounds
Codeine, dihydrocodeine, hydrocodone, and codeine analogs and related compounds (including those available over-the-counter in some countries if taken for a non-medical use)

c. EPHEDRINE CLASS

Ephedrine, pseudoephedrine, and phenylpropanolamine and/or their chemical and pharmacological analogs and related compound, as well as pseudoephedrine (even if purchased as an over-the-counter medication without a prescription) if used:

- in a manner that is inconsistent with the instructions provided by the drug manufacturer (e.g., use in concentrations or amounts in excess of the manufacturer’s recommended dose); or
- in a manner or an amount that may cause an increased risk to health, safety, or an impairment of ability to conduct his/her participation in relation to an AMA Supercross event.

d. BENZODIAZEPINES

Including without limitation:

Alprazolam
Diazepam
Lorazepam (Ativan)
Oxazepam (Serax)
Temazepam (Restoril)
Alpha-hydroxy-alprazolam (Xanax)
Nordiazepam (Valium) and/or their chemical and pharmacological analogs and related compounds

e. BARBITURATES

Including without limitation:

Amobarbital (Amytal)
Butalbital (Anolor 300, Esgic, Fioricet, Fiorinal)
Phenobarbital (Luminol, Solfoton)
Pentobarbital (Nembutal, Nembutal Sodium)
Secobarbital (Seconal) and/or their chemical and pharmacological analogs and related compounds

f. PERFORMANCE ENHANCING DRUGS

Including without limitation, Human Growth Hormone (hGH), Human Chorionic Gonadotropin (hCG), Lutenizing Hormone (LH) and Insulin-like Growth Factor (IGF-1), clenbuterol, anabolic androgenic steroids (“AAS”), SARMS, Anti-Estrogen and Diuretic substances, including without limitation:

Androstenediol
Androstendione
Bolasterone
Boldenone
Chloroxomesterone (dehydrochlormethyltestosterone)
Clostebol
Dehydroepiandrosterone
Dihydrotestosterone
Dromostanolone
Epitestosterone
4-Chlortestosterone
Fluoxymesterone
Formebolone
Furazabol
Mesterolone
Methandienone (Methadrostenolone)
Methandriol
Methenolone
Methylclostebol
Methyltestosterone
Methyltrienolone
Mibolerone
Nandrolone
Norandrostendione
Norethandrolone
Norethindrone
Oxabolone
Oxandrolone
Oxymesterone
Oxymetholone
Stanozolol
Stenbolone
Testosterone
Trenbolone

g. MUSCLE RELAXERS (PEDs)

Including without limitation, carisoprodol (Soma) and meprobamate (Miltown, Meprospan).

h. SLEEP AIDS

Including without limitation, zolpidem (Ambien).

i. BETA BLOCKERS

Including without limitation, the following drugs and related compounds:

Acebutolol
Alprenolol
Amosulalol
Atenolol
Betaxolol
Bisoprolol
Carteolol
Esmolol
Landiolol
Levobunolol
Mepindolol
Metipranolol
Metoprolol
Nadolol
Nebivolol
Oxprenolol
Penbutolol
Pindolol
Propranolol
Sotalol
Tilisolol
Timolol

3.4 MEDICAL AND NON-MEDICAL USE OF PRESCRIPTION AND OVER-THE-COUNTER MEDICATIONS

- a. Many prescription and over-the-counter medications serve essential or beneficial purposes for the health and well-being of Participants, and nothing in this Policy is intended to discourage the proper use of these medications.
- b. Some medications, even when properly used, may adversely affect the safety and integrity of competition for AMA Supercross events.
- c. Misuse or non-medical use of a prescription or over-the-counter medication by a Participant is prohibited.
- d. The MRO will examine whether:
 - 1. the medication was used in a manner inconsistent with the instructions provided by the manufacturer, pharmacist and/or the prescribing physician
 - 2. the medication causes a competitive advantage, or a diminished or impaired ability to perform duties on the day of an AMA Supercross event
 - 3. the medication was used without a valid prescription for an appropriate medical indication from a credentialed and treating physician
 - 4. the participant failed to advise the issuing physician that another physician was prescribing the same and/or similar medication; and/or
 - 5. the medication was prescribed more than 6 months prior to an AMA Supercross event
- e. Illegal acquisition and/or illegal distribution of any prescription or over-the-counter medication is strictly prohibited.

3.5 DIETARY SUPPLEMENTS

- a. Dietary supplements may contain (either purposefully or through contamination) a prohibited substance.
- b. Any product sold with a warning advising non-use if the purchaser is subject to a drug testing program should be avoided even though such product may be available without a prescription.
- c. Information regarding the contents of over 75,000 nutritional supplements can be found online at the Aegis website (www.aegisshield.com), as well as consulting a medical provider.

3.6 MASKING AGENTS & SUBSTANCES THAT MIMIC BANNED SUBSTANCES

- a. The use of or attempted use of any agent or technique that is designed to avoid detection of a prohibited substance and/or the attempt to falsify, alter, compromise, or otherwise tamper with the integrity of a specimen or test is prohibited, including:
 1. Providing false urine samples (e.g., urine substitution or synthetic urine)
 2. Contaminating the urine sample with chemicals or chemical products
 3. Using pharmaceutical diuretics to purposefully dilute the urine sample
 4. Using masking agents
 5. Using Aromatase inhibitors that may be used to biologically manipulate the testosterone/epitestosterone ratio, and/or using epitestosterone to artificially alter the testosterone/epitestosterone ratio
- b. The use of any legal or illegal substance, or combination of substances, including but not limited to synthetics, analogues and/or derivatives of a banned substance is prohibited.

3.7 MANNER OF USE

a. SAFETY

The use of any legal or illegal substance, or combination of substances, which when taken into the human body can impair the ability of the person to perform safely or is used in an unsafe manner is prohibited.

b. INTEGRITY OF COMPETITION

The use of any legal or illegal substance, or combination of substances, which when taken into the human body can alter or enhance a person's ability to compete in a manner unfair to other Participants is prohibited.

SECTION 4 – PROOF OF PRESCRIPTION FOR PROHIBITED SUBSTANCES

4.1 MANDATORY NOTIFICATION

- a. Participants are required to notify and provide proof of prescriptions containing prohibited substances to the MRO upon receipt of such a prescription from his/her treating physician.
- b. The information required to be submitted must include the following:
 1. Participant name and Date of birth (DOB)
 2. Participant mailing address and email address
 3. Participant cell phone number
 4. Name of medication and date of prescription
 5. Name and phone number of the prescribing physician
 6. Attach a copy of the prescription providing the dosage and duration instructions for proper use
- c. Email the information along with scanned copies of the documents to mro@aukmed.net or fax to (888) 595-4949. Include "AMA Supercross Participant Proof of Prescription" in the Subject line.
- d. The MRO may contact the prescribing physician to confirm the prescription, the prognosis, expected length of treatment and corresponding duration of the prescription.

SECTION 5 - TESTING FOR PROHIBITED SUBSTANCES

5.1 BASIS FOR TESTING

a. EVENT TESTING

The AMA may, at its sole discretion, require a test of any Participant competing in an AMA Supercross competition. Testing shall include the top three overall riders in each of the 250 and 450 classes and a number of random selected Participants from each class. Each Participant should expect to be tested, at a minimum, at least once during the AMA Supercross season.

b. REASONABLE SUSPICION

The AMA reserves the right to require a Participant to submit to a test(s) if an AMA Official has reasonable suspicion that the Participant has violated any part of this Policy or has a competitive advantage or diminished ability to perform as a result of using any prohibited substance. Conditions, observations and/or reports that may cause reasonable suspicion include:

1. Participant is found or observed in possession of illegal substances or illegal drug paraphernalia at any time.
2. Observation of signs, symptoms, and/or behaviors generally understood to accompany the use of prohibited substances or alcohol use or intoxication, including without limitation:
 - physical signs of red or droopy eyes, dilated or constricted pupils
 - slurred speech, stumbling, or hyperactivity
 - needle marks
 - repeated unexplained disappearances from an Event
 - constantly running nose, red appearance in the face, or persistent sniffing
 - time distortion, including repeated tardiness and missed appointments
 - chronic forgetfulness
 - accidents during Events
 - inability to concentrate or to maintain attention
 - mental confusion, paranoia, or presence of abnormal thoughts or ideas
 - violent tendencies, loss of temper, or irritability
 - extreme personality changes or mood swings
 - deteriorating personal hygiene or appearance
 - an arrest or conviction for driving while under the influence of alcohol or drugs, or an alcohol or drug-related conviction
 - receipt of a report from a reliable source that Participant is under the influence of prohibited substances on the day of an Event, or, at any time, is using, possessing or selling illegal drugs or substance
 - the results of an examination or test which shows evidence of use of a prohibited substance or alcohol abuse or of adulteration or manipulation of the specimen
 - the odor or aroma of an alcoholic beverage on or about the breath or body of Participant consistent with use of such a substance or alcoholic beverage on the day of an Event
 - violation of event procedures resulting in an incident or accident involving injury, death or property damage

5.2 SPECIMENS FOR TESTING

- a. Testing may include specimens of urine, blood, saliva, hair, and/or breath.
- b. The choice of specimen for a particular test is at the discretion of the PA and/or MRO.
- c. The type of test performed is at the discretion of the PA and/or MRO.
- d. In the event of disagreement, the PA shall make the determination of the specimen for a particular test and the type of test to be performed.

5.3 FOLLOW-UP TESTING

a. ADMINISTRATIVE REQUEST

The PA and/or MRO may request follow-up testing for administrative purposes.

b. MRO REQUEST

The PA and/or MRO may request follow-up testing for a variety of reasons, including but not limited to:

1. A finding by the MRO of invalid test results
2. To monitor or determine appropriate therapeutic levels of prescription drug use
3. To determine whether a Participant is “cycling” or “stacking” a performance enhancing substance

4. To determine if there is a legitimate medical reason for test results

5.4 AUTHORIZATION FOR TESTING AND RELEASE

- a. A Participant who refuses to execute, falsifies or withdraws any authorization for testing or the release of medical records, shall become ineligible to compete in AMA Supercross activities for an indefinite period.
- b. A Participant who attempts to falsify or otherwise tamper with any urine, blood, saliva, hair and/or breath test, shall become ineligible to compete in AMA Supercross activities for an indefinite period.

5.5 REFUSAL TO TEST

- a. Refusing to submit to testing will be treated as a positive test.
- b. For the purposes of this Policy, Participants have refused to take a test for the following:
 1. Failure to participate, authorize or cooperate for testing, including failure to follow procedures of *Section 5.4 Authorization for Testing and Release*
 2. Failure to appear for a test within the time period designated by the PA after being notified of the test with the time period required
 3. Failure to remain for the duration of testing or until all testing requirements are completed
 4. Failure to provide sufficient amount of the requested specimen, and the MRO determines that no legitimate medical reason exists for the insufficient specimen
 5. Failure to permit or allow an observed collection
 6. Failure to take a follow-up test
 7. Failure to consult and/or cooperate with the MRO
 8. Failure to provide an unadulterated specimen. A test is considered a refusal for any findings of specimens that are adulterated, substituted, including but not limited to a finding of synthetic urine, synthetic marijuana, adulterants, intentional dilution of specimens, etc., and where no legitimate medical explanation supports the laboratory findings.
- c. Any attempts by a Participant to mask or alter the results of the test will be considered a refusal.

SECTION 6 – SPECIMEN COLLECTION AND HANDLING

6.1 SAMPLE COLLECTION

- a. **SAMPLE COLLECTION AGENTS (SCA)**
 1. Aegis shall designate one or more Sample Collection Agents (SCA) to collect the samples and to oversee sample collections and/or the administration of other testing protocols.
 2. Each SCA shall be trained in appropriate collection techniques by the certified laboratory.
- b. **IDENTIFICATION & DIRECT OBSERVATION**
 1. Once a Participant has been selected for testing, an AMA Official will notify and immediately escort the Participant to the testing area.
 2. Once in the testing area, Participants may not leave the designated area until testing is completed.
 3. Collection shall be made as soon as possible following the notification of the Participant that testing will be conducted.
 4. A SCA of the same gender shall directly observe the collection of the urine samples.
- c. **SPECIMEN QUALITY**
 1. The SCA will promptly measure the temperature of the specimen to ensure it has not been manipulated.
 2. Where results indicate that the sample is inappropriate for testing, the SCA may require the Participant to provide additional specimens as necessary.

d. **SPECIMEN HANDLING**

The SCA will split the specimen into “A” and “B” samples (when possible), label, secure, and transport the specimens to the Testing Laboratory in such a manner as to ensure that the specimens are not misplaced, tampered with, or relabeled.

e. **SPECIMEN TESTING**

The specimens shall be tested for prohibited substances and the results reported promptly to the MRO.

6.2 SPECIMEN OWNERSHIP

All specimens collected, including both “A” and “B” samples, are exclusively the property of the AMA.

SECTION 7 – POSITIVE TEST RESULTS - MRO INVESTIGATION – “B” SAMPLE TESTING

7.1 NOTIFICATION OF RESULTS TO PARTICIPANT

- a. The testing laboratory will notify the MRO of the results of all testing.
- b. In the event of a positive test indicating the presence of a prohibited substance, or of a refusal to test because of adulteration or substitution, or other non-negative test, the MRO shall promptly notify the Participant of the results.
- c. Participants shall be notified pursuant to the contact information provided on Participant’s license application.

7.2 MRO INVESTIGATION

- a. Upon notification of a positive test or a refusal to test, the MRO shall conduct an investigation.
- b. To assist in the investigation, the MRO may request:
 1. An interview with Participant
 2. Additional information from Participant, including but not limited to:
 - suitable proof of valid medical prescriptions given by a licensed and treating physician
 - consent to review records of the prescribing physician
 - any other reasonable requests that may assist the MRO investigation
 3. Participant undergo an independent medical evaluation from a professional designated by the MRO, at the Participant’s expense.
- c. Participant must respond to the MRO’s request for an interview and/or additional information within **72 hours** of the request from the MRO.
- d. Participant must complete the independent medical evaluation within **30 business days** of the request from the MRO.
- e. The failure to cooperate with the MRO’s investigation or provide suitable proof in a timely manner shall be treated as confirmation of the positive test or unexcused refusal to test.

7.3 SPLIT SPECIMEN or “B” SAMPLE TESTING

a. **“B” SAMPLE TEST REQUEST**

1. Upon notification to a Participant of a positive test or refusal to test because of adulteration, substitution, or other non-negative test, Participant may request a test of the split specimen or “B” sample.
2. The request to test a “B” sample must be made within **72 hours** from the time of notification of test results.
3. The request to test a “B” sample must be made in writing and emailed to the MRO at mro@ankmed.net.
4. Failure to timely request a “B” sample within the 72-hour request period constitutes an acceptance of the positive results.
5. Participants who failed or refused to produce an original specimen may not request a “B” sample test.
6. Participants who waive the 72-hour request period during the MRO interview may not request a “B” sample test.

- b. **“B” SAMPLE TEST LABORATORY**
 - 1. The “B” sample test shall be conducted by Aegis using the “B” specimen from the original collection.
 - 2. PA and MRO will use their best efforts to expedite the “B” sample test.
 - 3. Participant may be present (either personally or by representation by a qualified toxicologist not affiliated with Aegis) during the “B” sample test.
 - 4. If Participant chooses to be present personally or by representation during the “B” sample test, Participant must notify the MRO in writing within the **72-hour** request period at mro@ankmed.net.
 - 5. The “B” sample test will be performed at the expense of the Participant.
- c. **“B” SAMPLE TEST PROCEDURES**
 - 1. The “B” sample test will be performed in accordance with the same procedures used in the original test of the “A” specimen.
 - 2. If the “B” sample fails to confirm the original “A” specimen test results, then the specimen and test will be recorded as negative, and there will be no violation under this Policy.
 - 3. If the “B” sample test confirms the original “A” specimen test results, then the specimen and test will be recorded as a confirmed positive test and a violation of this Policy.
 - 4. If no “B” sample is available due to the nature of the collection, then the MRO and PA will act upon the procedures in *Section 7.2 - MRO Investigation*.
- d. **UNCOOPERATIVE PARTICIPANT**
 - 1. When the PA or MRO has made repeated attempts to contact the Participant regarding notification of a positive test and the right to “B” sample testing, and the Participant fails to respond or otherwise cooperate, then the PA and MRO may report the test as positive after 72 hours from the findings of the test.
 - 2. Lack of cooperation with the PA or MRO by the Participant will be treated as a constructive waiver of the right to “B” sample testing.

7.4 REPORTING RESULTS TO THE AMA

- a. Upon completion of the MRO investigation, if the MRO determines there is no legitimate medical use or legitimate medical explanation for a positive test or refusal to test because of adulteration or substitution, the MRO shall report the results to the PA.
- b. In the event the MRO determines the “A” sample is positive and the Participant has made a timely request to test the split specimen or “B” sample, the “B” sample shall be tested and the results verified.
- c. Once split specimen testing is completed and the results verified, the MRO shall report all information derived from the testing process and the independent investigation to the PA, and the PA shall make a determination of whether the results are positive or negative.
- d. The PA shall issue to the AMA either a confirmed negative test result or a confirmed positive test result.
- e. If split specimen procedures are waived or not acted upon, the PA shall issue a confirmed positive result and violation of this Policy to the AMA.
- f. If the PA verifies a test as cancelled or negative, the results will be reported to the AMA and no violation of this Policy will be found.
- g. The final determination of whether there has been a violation of this Policy shall be made by the PA.

SECTION 8 – SANCTIONS

8.1 TEMPORARY INELIGIBILITY BASED ON “A” SAMPLE RESULTS

- a. Upon notification of an “A” specimen positive test, Participant may continue to compete pending testing of the “B” sample and final confirmation of results from the PA, unless exigent circumstances exist.

- b. Participant may become temporarily ineligible to compete pending completion of the “B” sample test if the AMA, in its sole discretion, deems exigent circumstances exist, including:
 - 1. Concerns regarding the safety of the Participant and others at the Event or on-track
 - 2. Concerns regarding the fairness of a competition
 - 3. Undue delay to accommodate the presence of the Participant (or his/her representative) at the “B” sample test.

8.2 DISQUALIFICATION FROM EVENT(S)

- a. Upon confirmation of a positive test result or other violation of this Policy, Participant will be disqualified from all results from the time of the event in which the original specimen sample was given, to the time of confirmation of violation.
- b. In addition to disqualification of results, Participant will forfeit all event awards, points and prizes.
- c. A Participant who refuses to comply with Policy procedures at an event may be:
 - 1. disqualified from event results
 - 2. required to forfeit awards, points and prizes
 - 3. removed from the event
- d. The AMA may take such further emergency action deemed appropriate in its sole discretion.

8.3 PERIOD OF INELIGIBILITY

- a. Upon confirmation of a positive test result or other violation of this Policy, Participant shall become ineligible to compete in further AMA Supercross events for a specified period of time, subject to potential elimination, reduction or suspension of ineligibility pursuant to *Section 9 – Return to Competition Program*.
- b. The period of ineligibility shall be no longer than four (4) years where:
 - 1. the violation does not involve a Specified Substance or a Specified Method, unless the Participant or other person can establish that the violation was not intentional; or
 - 2. the violation involves a Specified Substance or a Specified Method and the PA can establish that the violation was intentional.
- c. The period of ineligibility shall be no longer than two (2) years in all other instances.
- d. The AMA shall give Participant written notice of the violation, the period of ineligibility, and the means by which the Participant may mitigate and reduce the period of ineligibility by participating in *Section 9 - Return to Competition Program*.
- e. The period of ineligibility imposed by the AMA shall be final and non-appealable.
- f. The AMA may impose such further disciplinary action deemed appropriate in its sole discretion.

8.4 PUBLICATION OF RESULTS

- a. The AMA may publish the results of any test(s) conducted pursuant to this Policy and the circumstances giving rise to such test(s) to such third parties as the AMA, in its sole discretion, deems reasonable under the circumstances, including the general public.
- b. The AMA may publish any and all violations to this Policy, including but not limited to conduct violations where no testing may have occurred.
- c. No Participant shall have any claim or cause of action of any kind against the AMA or any director, officer, employee or agent of the AMA, the Testing Laboratory, PA or MRO with respect to such publication, and/or shall be deemed to have released any such claim or cause of action.

SECTION 9 - RETURN TO COMPETITION PROGRAM

9.1 PURPOSE OF PROGRAM

- a. Ineligible Participants may return to competition prior to the expiration of their ineligibility period upon successful completion of a Return to Competition Program (the “Program”) and authorization from the PA.
- b. The Program will be developed based upon an evaluation prepared by the PA in consultation with substance abuse or other health care professionals (if applicable).

- c. The Program will be designed around the unique circumstances of the violation and the health care needs of the Participant, for the express purpose of providing the Participant with a means to eliminate, reduce or suspend the ineligibility period.
- d. Factors which will result in mitigation of the period of ineligibility include:
 - 1. Admission of violation and Acceptance
 - 2. Finding of No Fault, inadvertence or negligence
 - 3. Substantial assistance in identifying Policy violations by others
- e. The Program is voluntary, and Participant must agree to the terms and conditions of the Program.

9.2 TERMS AND CONDITIONS

- a. The AMA shall notify the Participant in writing of the terms and conditions of the Program and the means by which the Participant may eliminate, reduce or suspend the period of ineligibility.
- b. The terms and conditions shall be based upon the recommendations of the PA, which may include the following:
 - 1. Abstinence from prohibited substances
 - 2. Follow-up testing
 - 3. Substance abuse counseling
 - 4. Treatment
 - 5. Rehabilitation
- c. The Program will establish how many times the Participant will be tested, for how long, and for what substances.
- d. Testing shall be performed at a time and place and under conditions specified in the Program.
- e. Participant will be responsible for all costs, including laboratory testing fees, associated with the Program.

9.3 PROGRAM COMPLETION

- a. Upon successful completion of the Program, as determined by the PA, the AMA shall reinstate and return the Participant to competition and terminate the ineligibility period.
- b. Return to competition may include conditions of reinstatement, including,
 - 1. Ongoing follow-up testing
 - 2. Ongoing follow-up counseling
- c. In the event Participant fails to successfully complete the Program, as determined by the PA, then the original ineligibility period shall remain in full force and effect until expiration.

SECTION 10 - VOLUNTARY DISCLOSURE

10.1 BENEFITS OF VOLUNTARY DISCLOSURE

- a. The AMA encourages voluntary disclosure of substance abuse and supports voluntary rehabilitation efforts by Participants. Consequently, the AMA is agreeable to accommodating such persons during their recovery and abstinence, so long as the safety and integrity of the AMA Supercross program is not jeopardized.
- b. The primary objective of voluntary disclosure is to prevent participation of individuals who are in violation of this Policy until such time as the violation has been resolved. In principal persons who voluntarily disclose violation of this Policy, and who voluntarily withdraw from participation until their eligibility status is resolved, will receive more favorable consideration than those whose violations are discovered through testing process and who have continued to knowingly participate in AMA Supercross events while in violation of this Policy.
- c. Participants are encouraged to contact the PA and/or the AMA to voluntarily disclose violations of this Policy prior to being selected for a drug test. Persons who do not self-report will be subject to whatever actions and controls the AMA deems necessary to protect the safety and integrity of the racing program, including suspending competition privileges.

- d. Upon notification of voluntary disclosure, the PA will develop a Return to Competition Program for the Participant in accordance with the provisions of *Section 9 – Return to Competition Program*.
- e. Participants who voluntarily disclose their violation(s) of this Policy, and who cooperate with the PA in setting a plan of action for reinstatement, shall not, under normal circumstances, be charged with violation of this Policy.
- f. Participants who have no previous offenses of this Policy may voluntarily disclose violation(s) even at the time of selection for a random test under the provisions of *Section 5.1.a – Basis for Testing – Random Testing*, or at the time of notification of a test under the reasonable suspicion provisions of *Section 5.1.b – Basis for Testing – Reasonable Suspicion*. However, such individuals must immediately cease their participation in the event's activities and refrain from any further participation in AMA Supercross events until their eligibility status has been resolved.
- g. Individuals who have one or more previous violations of this Policy are offered no specific protections under this section of the Policy. However, voluntary disclosure of repeat violation(s) and voluntary withdrawal from participation will be viewed as mitigating factors by the AMA in determining penalties which might be imposed.

10.2 PROBATION

- a. Participants who voluntarily disclose their violation(s) of this Policy will be subject to a preliminary test to be conducted in a timely manner at the direction of the AMA and any subsequent testing as determined by the PA. The cost of such testing shall be at the expense of Participant.
- b. Participant will be prohibited from competition in AMA Supercross events until they have a negative test result on a sample specifically identified as a "Return to Competition Sample".
- c. If the results of the preliminary test reveal that participation of the Participant may jeopardize the safety or integrity of the AMA Supercross program, as determined in the sole discretion of the AMA, then the Participant shall be placed on Probation and will be prohibited from participating in further competition until such time as there is evidence, acceptable to the AMA, that the Participant will no longer jeopardize the safety and integrity of the race program.
- d. Participants placed on Probation will be required to enter into a **Voluntary Disclosure Agreement** with the AMA stipulating the conditions of their probation.
- e. Any violation of this Policy discovered while a Participant is on Probation under voluntary disclosure shall be treated as an offense of this Policy.
- f. Upon successful completion of Probation, the AMA shall return the Participant to competition with a finding of "No Violation" of this Policy.