



Occupational and Professional Licensing Administration

Combat Sports Commission

Notice of Final Rulemaking

The District of Columbia Boxing and Wrestling Commission (“Commission”), pursuant to the authority set forth in Section 7 of the District of Columbia Boxing and Wrestling Commission Act of 1975, effective October 8, 1975 (D.C. Law 1-20; D.C. Official Code § 3-606 (2016 Repl.)) (“Act”), hereby adopts the following amendments to Chapter 20 (Boxing and Wrestling: General Rules) and Chapter 24 (Mixed Martial Arts Uniform Rules) of Title 19 (Amusements, Parks, and Recreation) of the District of Columbia Municipal Regulations.

This rulemaking amends the general rules applicable to boxers, wrestlers, kickboxers, martial artists and mixed martial artists by adopting the internationally recognized anti-doping standards for all combative sports contestants in the District. It also amends the rules governing the number and length of rounds for mixed martial arts contest in order to allow flexibility to permit new styles of competition in the District.

A Notice of Emergency and Proposed Rulemaking was adopted on October 11, 2018 and was published into the *D.C. Register* on November 16, 2018 at 65 DCR 12841. No comments were submitted and no changes have been made to the text of the proposed rules as published with that notice.

These rules were adopted as final on December 18, 2018 and shall take effect upon publication of this notice in the *D.C. Register*.

Chapter 20, BOXING AND WRESTLING: GENERAL RULES, of Title 19 DCMR, AMUSEMENTS, PARKS, AND RECREATION, is amended as follows:

Section 2030, [RESERVED], is amended to read as follows:

2030 PROHIBITED DRUGS AND METHODS

2030.1 Unless a therapeutic use exemption (TUE) has been granted in accordance with this section, the Commission may take disciplinary action against a contestant’s license, or bar a

contestant's participation in any bout, if it finds that the contestant, at any time before or during a contest, has used any prohibited substance or prohibited method as established in the current version of The World Anti-Doping Code, The Prohibited List International Standard (Prohibited List) as adopted by World Anti-Doping Agency (WADA) (<https://www.wadaama.org/en/resources/sciencemedicine/prohibited-list>) as of October 15, 2018. Any changes made to the Prohibited List after October 15, 2018 shall be voted on and approved by the District of Columbia Boxing and Wrestling Commission prior to adoption and publication in the *District of Columbia Register*.

- 2030.2 All contestants licensed by the commission may be required to submit to testing for prohibited substances at any time.
- 2030.3 Any contestant who has at any time tested positive for a prohibited substance or prohibited method that has been confirmed by any state athletic commission shall be required to provide a urine specimen for drug testing prior to competing in any bout.
- 2030.4 Contestants with documented medical conditions requiring the use of a prohibited substance or a prohibited method may be granted a TUE from the Commission.
- 2030.5 A TUE shall not be granted for any form of Testosterone Replacement Therapy, including any use of natural or synthetic testosterone to treat or replace testosterone deficiency in men, except as required by law.
- 2030.6 A contestant may request a TUE, no less than thirty (30) days prior to an event, by submitting a request form prescribed and provided by the Commission.
- 2030.7 Each of the following shall accompany the TUE request form:
- (a) Medical information, which shall include:
 - (1) Diagnosis and etiology based upon the treating physician's evaluation;
 - (2) An evaluation by licensed physician in the appropriate medical field;

- (3) Patient medical history, which must be consistent with the standard of practice in the appropriate medical field relevant to the exemption requested;
 - (4) A physical exam, which must be consistent with the standard of practice in the appropriate medical field relevant to the exemption requested;
 - (5) A testing/laboratory evaluation, which must be consistent with the standard of practice in the appropriate medical field relevant to the exemption requested;
 - (6) Name of the prohibited substance or prohibited method;
 - (7) Dosage taken or to be taken;
 - (8) Method of administration; and
 - (9) Duration of treatment.
- (b) A copy of the medical records in which the contestant's medical condition is well documented, and which must reflect that the condition existed prior to any test for a TUE request was performed.
- (c) An attestation of a licensed physician in the appropriate field of medicine that the contestant qualifies for an exemption in accordance with this section, and that the contestant is currently physically fit to compete safely.

2030.8 No less than five (5) days before a scheduled bout, a licensee requesting a TUE shall be subject to a pre-fight drug test by a certified laboratory designated by the Commission. If the laboratory determines that a value for the therapeutic agent in question is found to be out of the normal range, the contestant's medical provider should take action to correct the level by repeating the lab and/or adjusting medication appropriately, which must be documented in records submitted to the Commission.

- 2030.9 On the day of the bout, a licensee requesting a TUE shall be subject to drug testing for agent specific levels by a certified laboratory designated by the Commission.
- 2030.10 The Commission shall waive the time period specified in § 2030.6 for submitting a request, and may retroactively approve a request for TUE, in cases where emergency treatment or treatment of an acute medical condition was medically necessary.
- 2030.11 All costs of providing information to provide a complete TUE request process shall be the contestant's responsibility.
- 2030.12 Any request approved pursuant to this section shall be valid for one approved competition. If a contestant intends to compete in any future event or competition that may subject the contestant to drug testing by the Commission, the contestant must submit a separate request for a TUE for any prohibited substance in advance of such event or competition in accordance with the provisions of this section.
- 2030.13 The Commission may deny a request for a TUE without further action under the following circumstances:
- (a) The current licensure status of the contestant's treating physician cannot be verified;
 - (b) The contestant failed to submit a complete request in accordance with § 2030.7; or
 - (c) The contestant failed to comply with the drug testing requirements of §§ 2030.8 or 2030.9.
- 2030.14 If the Commission reasonably determines that a TUE request has been submitted for the purpose of enhancing the contestant's performance and/or giving the contestant an advantage over his/her competitor(s), the Commission shall deny the request.
- 2030.15 A TUE shall not be granted when the Commission reasonably concludes that denying the TUE request is in the best interests of protecting the public, or the health and safety of licensed contestants.

- 2030.16 If a request for TUE is denied pursuant to §§ 2030.14 or 2030.15, the Commission shall provide the licensee with a notice of the intended action and an opportunity for a hearing in accordance with § 2043 of this chapter.
- 2030.17 Information provided to or obtained by the Commission pursuant to this section, including the identity of persons providing such information and the reports or documents provided by health care providers and medical facilities pursuant to § 2030.7, as well as files, records, findings, opinions, recommendations, evaluations, and reports of the Commission, shall be confidential and shall only be subject to disclosure for the purposes of an administrative proceeding held pursuant to §§ 2030.16 and 2043 of this chapter.
- 2030.18 Information gathered by the Commission pursuant to this section shall not be used for any purpose other than making a determination of eligibility for a TUE. The information shall not be disclosed by any person under any circumstances, except that such data in the aggregate may be published in the annual report by the Commission.

Section 2043, NOTICE OF PROPOSED ACTION AND OPPORTUNITY FOR A HEARING, is amended as follows:

Subsection 2043.1 is amended to read as follows:

- 2043.1 Each applicant or licensee shall be notified and given an opportunity to be heard before the Commission takes any of the following actions:
- (a) Denies a license for any cause other than failure to pass a required test or physical examination;
 - (b) Suspends a license;
 - (c) Revokes a license;
 - (d) Restricts or places conditions upon a license;
 - (e) Reprimands or censures a licensee;
 - (f) Refuses to restore a license;
 - (g) Refuses to renew a license for any cause other than failure to pay the prescribed fees;

- (h) Imposes a civil fine or penalty;
- (i) Orders a contestant's purse forfeited to the promoter; or
- (j) Denies a request for a therapeutic use exemption (TUE) pursuant to §§ 2030.14 or 2030.15.

Chapter 24, MIXED MARTIAL ARTS UNIFORM RULES, is amended as follows:

Section 2411, ROUND LENGTH, is amended to read as follows:

2411 ROUND LENGTH

- 2411.1 Except as provided for in § 2411.3, each non-championship mixed martial arts contest shall be three (3) rounds, of five (5) minutes duration, with a one (1)-minute rest period between each round.
- 2411.2 Except as provided for in § 2411.3, each championship mixed martial arts contest shall be five (5) rounds, of five (5) minutes duration, with a one (1)-minute rest period between each round.
- 2411.3 The number and duration of rounds for any mixed martial arts contest may be modified upon approval by the Commission.