



OREGON

Avoiding Positive Tests from Contaminated Supplements: Protecting the Student-Athlete Opportunity

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NCAA Constitution

CONSTITUTION, ARTICLE 1

Principles

D Student-Athlete Well-Being. Intercollegiate athletics programs shall be conducted by the Association, divisions, conferences and member institutions in a manner designed to protect, support and enhance the physical and mental health and safety of student-athletes. Each member institution shall facilitate an environment that reinforces physical and mental health within athletics by ensuring access to appropriate resources and open engagement with respect to physical and mental health. Each institution is responsible for ensuring that coaches and administrators exhibit fairness, openness and honesty in their relationship with student-athletes. Student-athletes shall not be discriminated against or disparaged because of their physical or mental health. *(Adopted: 1/20/22 effective 8/1/22)*



NCAA Constitution

CONSTITUTION, ARTICLE 1

Principles

E Student-Athletes *(Adopted: 1/20/22 effective 8/1/22)*

2 The president or chancellor of each member institution shall appoint and support the faculty athletics representative as the principal point of contact to whom student-athletes can report any action, activity or behavior by anyone associated with the athletics program inconsistent with this constitution's principle of student-athlete health and well-being. In this role, the faculty athletics representative is a reporting contact for student-athletes independent of the institution's athletics department, but not a legal advocate for student-athletes. The faculty athletics representative, in this capacity, shall report directly to the member institution's president or chancellor. *(Adopted: 1/20/22 effective 8/1/22)*



Overview

- Contaminated Supplements
- Preventing Positives
- Getting the Lowest Sanction in NCAA Appeals



Unintentional Drug Violations

- Contaminated Supplements



- **NCAA Drug Program:**

- Supplements are taken at the student-athlete's own risk.*
- Athletics staff should provide guidance about supplement use.*
- Athletics staff should check supplements before student-athletes use them.*



Unintentional Drug Violations

- Contaminated Supplements



- **NCAA Drug Program:**

- Supplements are not well-regulated and can cause a positive drug test.*
- Student-athletes have lost their eligibility after using supplements.*
- Supplements contain banned drugs not listed on the label.*



Preventing Positives



Preventing Positives

- Avoid Contaminated Supplements
- NCAA Drug Program:
 - a. *Drug Free Sport Axis (NCAA Program)*



QUESTIONS ABOUT MEDICINES AND SUPPLEMENTS?

816-474-7321 or axis.drugfreesport.com (password ncaa1, ncaa2 or ncaa3)

DRUG FREE SPORT
AXIS[™]



Preventing Positives

- Avoid Contaminated Supplements
 - a. NSF Certified for Sport (tests for hundreds of banned substances)

<https://www.nsf sport.com/>



Preventing Positives

- Avoid Contaminated Supplements
 - a. **Informed Sport** - Only banned substance testing program that tests batches of a supplement before it's released to market.
*Must verify that particular batch student-athlete is using has been tested

<https://sport.wetestyoutrust.com/>



Preventing Positives



- **WARNING**

- a. Watch out for fake certifications
- b. WADA/USADA do not certify supplements
- c. Good Manufacturing Practices certification does NOT guarantee clean supplements
- d. Sports celebrity endorsements hold ZERO weight
 - TB12, Nugenix Total T



Preventing Positives



- All nutritional/dietary supplements are taken at the student-athlete's own risk.



Best Practices

- Purchase only sport-certified supplements
- Batch Number & Expiration Date
 - Take pictures of all supplement bottles
 - Clearly identify Batch Num. & Exp. Date
- Save Original Bottles
 - Do not transfer into smaller container
- Save some of each supplement/medicine
 - Do not finish entire bottle
- Save Itemized Receipts
- Record ANYTHING taken



Getting the Lowest Sanction in NCAA Appeals

- Identify the Source!
- List of ALL supplements taken.
- Lotions, massage oils?
- Prescription medication?
- Food, Water?
- Kissing, Sex?



Getting the Lowest Sanction in NCAA Appeals

- No violation (utmost caution standard)
- 50% Reduction (Mitigating Factors)
- Written appeal on behalf of student-athlete
- Oral hearing?
- Negative test before returning



Drug Testing Process



Getting the Lowest Sanction in NCAA Appeals

- Get experienced counsel



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