



**2014**

**INDYCAR**

**SUBSTANCE ABUSE POLICY**

**I. Preamble.**

- A.** INDYCAR, LLC d/b/a INDYCAR (“INDYCAR”) strives to maintain the integrity of the sanctioning body, its series, and its Events.
- B.** INDYCAR is concerned about the problem of substance abuse in American society and, more particularly, the threat that this may create for the public perception of the sanctioning body and motorsports. The use of illegal drugs at any time, or the improper use of alcohol during an Event, and even the proper use of certain medications during an Event, may endanger Competitors, Officials, other Members, and spectators, and may result in harm to the internal and external perception of the sanctioning body and motorsports. Such conduct cannot be permitted by INDYCAR.
- C.** With the above in mind, this 2014 INDYCAR Substance Abuse Policy (“Policy”) has been adopted.
- D.** The definitions of terms described in the Glossary, at Section 18 of the INDYCAR Rulebook, shall apply to use of those terms in this Policy, except where otherwise noted.
- E.** The effective date of this Policy is January 1, 2014 with the exception that the results of performance enhancing drug testing will not be enforced until March 24, 2014 so as to ensure sufficient notice to Members to which testing for those substances applies.

## **II. Administration of the Policy, Program Administrator, Testing Laboratory, and Medical Review Officer.**

**A. Administration of the Policy.** The Policy is overseen by INDYCAR, but it is administered and implemented through a program administrator, testing laboratories, medical review officers and substance abuse professionals.

**B. Program Administrator.** Aegis has designated David L. Black, Ph.D., D-ABFT, FAIC Aegis as the Program Administrator (“PA”). The PA is responsible for, among other things, administering collection of samples/collections under this Policy, coordinating secure shipment of specimens to the testing laboratory, ensuring thorough and accurate scientific testing of specimens, determining whether any Member has tested positive for ingestion of drugs, alcohol or prohibited substances or otherwise violated this Policy, and informing INDYCAR and the Member 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”). The PA will also facilitate evaluations for Members by coordinating evaluations with the appropriate substance abuse professional for counseling, treatment or rehabilitation. INDYCAR reserves the right to designate other PAs, as needed, to facilitate this Policy throughout the year.

**C. Testing Laboratory.** INDYCAR has appointed Aegis Sciences Corporation headquartered in Nashville, Tennessee (“Aegis”) to carry out the collection, transportation, and testing of (where applicable) bodily fluids, such as saliva, urine, blood, and breath specimens, as well as hair specimens, pursuant to this Policy. INDYCAR reserves the right to designate other testing facilities, as needed to facilitate this Policy, throughout the year. All results will be communicated by Aegis to the PA and MRO as needed. Certification of Aegis by any government agency, such as the Department of Health and Human Services Substance Abuse and Mental Health Services Administration (“SAMHSA”) or other third party, such as the College of American Pathologists (“CAP”) Forensic Urine Drug Testing Program, verifies Aegis as a testing laboratory. However, Aegis is not limited by any certification regarding the substances to be tested, the procedures to be followed, and/or the sensitivity of any tests applied by Aegis under this Policy. Aegis is the only federally (Substance Abuse and Mental Health Services Administration) certified Sports Doping Laboratory in the United States. All specimens are handled forensically, which ensures the confidentiality of results and accuracy of testing. Aegis uses the Substance Abuse Management System database and no longer uses Social Security numbers. The database generates a randomly unique number for each donor (Driver, crew member or Official) that remains with the donor for the length of his/her active status.

**D. Medical Review Officer.** INDYCAR has designated Dr. Doug Aukerman, MD as the independent MRO. The MRO is an independent and impartial physician responsible for receiving and reviewing testing results generated pursuant to this Policy and determining whether there is a legitimate medical explanation for a positive drug test or refusal to test because of adulteration, substitution, or other non-negative test. The MRO is also responsible for receiving requests for legitimate medical use of prohibited substances and the approval of such use in connection with Events. Dr. Aukerman is a board certified Sports Medicine physician and a medical review officer certified by the American Association of Medical Review Officers (AAMRO). INDYCAR reserves the right to designate other MROs, as needed, to facilitate this Policy throughout the year.

### **III. Members Subject to Testing and Testing Overview.**

**A.** The Policy is intended to apply principally to the Members listed below:

- 1.** Competitors: Drivers, tire changers, airjack, fueler, all other mechanics, spotters, and
- 2.** Officials: medical, technical inspection/pit tech, track safety, pace car, race control, fuel services, spotters

**B.** All other Members are required to adhere to the Policy, including its annual test, random test and/or reasonable suspicion test provisions, as well as any subsequent follow-up testing that is necessary.

**C.** Members are responsible for whatever goes into their bodies.

**D.** INDYCAR will regularly test any Competitor or Official whose performance at an Event can potentially affect the safety of Participants, including their own safety and that of other Members, spectators, and guests.

**E.** INDYCAR will regularly test any Competitor for performance enhancing drugs (“PEDs”) and related substances, whose use of PEDs or related substances could alter or enhance their performance at an Event to create an unfair advantage or impact the integrity of competition, including but not limited to Drivers, tire changers, airjack, fueler and all other mechanics and spotters, and anyone else determined solely by INDYCAR.

#### **IV. Prohibited Substances and Acts.**

##### **A. Prohibited Substances.**

**1.** For the purpose of this Policy, “prohibited substances” are substances that, in the PAs and MROs determination in consultation with INDYCAR, may adversely affect the integrity of the sanctioning body or well-being of Competitors, Officials or others, or the performance of a Competitor or Official in connection with an Event.

**a)** “Prohibited substances” include, but are not limited to, illegal drugs such as marijuana, cocaine, and hallucinogens.

**b)** 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.

**c)** “Prohibited substances” also include drugs or chemicals that may be used to alter a sample with the intent to defeat a drug test.

**d)** Alcohol, if used improperly as defined by this Policy, is also considered a prohibited substance.

**e)** In addition to the prohibition of illegal drugs described above, the improper use of the following non-exhaustive list of drugs, including chemical and pharmacological analogs and related compounds thereof, is prohibited under this Policy:

**(1) Stimulants**

Amphetamines, without limitation, including but not limited to (Adderall®), Methamphetamine (Desoxyn®), Ecstasy (MDMA), Eve (MDEA), MDA, Phentermine, PMA, Methylphenidate (including but not limited to Ritalin®), and other stimulant or amphetamine derivatives, analogs, and related compounds.

**(2) Narcotics and Opioid Analgesics**

Including without limitation, Alfentanil, Buprenorphine (Suboxone®), Codeine (Tylenol® #3, 4), Norcodeine, Dihydrocodeine (Synalgos-DC®), Cocaine, Fentanyl (Duragesic®), Norfentanyl, Heroin, Hydromorphone (Dilaudid®), Hydrocodone (Lortab®), Norhydrocodone, Meperidine, Methadone (Demerol®), EDDP, Morphine (MS Contin®), Oxycodone (OxyContin®), Oxymorphone Noroxycodone, Propoxyphene (Darvon®), Sufentanil, Tramadol (Ultram®), and their analogs and related compounds (including those available over the counter).

**(3) Ephedrine class**

Including without limitation, Ephedrine and Phenylpropanolamine and/or their chemical and pharmacological analogs and related compounds, including pseudoephedrine if used in a manner or amount inconsistent with the instructions provided by the drug manufacturer or which may increase health and safety risks or cause impairment of ability to perform his or her duties in connection with an Event.

**(4) Benzodiazepines**

Including without limitation, Alprazolam and Alpha-Hydroxy-Alprazolam (Xanax®), Clonazepam (Klonopin®), Diazepam and Nordiazepam (Valium®), Flurazepam (Dalmane®), Lorazepam (Ativan®), Oxazepam (Serax®), Temazepam (Restoril®), and/or chemical and pharmacological analogs and related compounds.

**(5) Barbituates**

Including without limitation, Amobarbital, Butabarbital, Butalbital, Pentobarbital, Phenobarbital, Pentobarbital, Secobarbital, and/or chemical and pharmacological analogs and related compounds.

**(6) Performance Enhancing Drugs**

***a. Anabolic Androgenic Steroids***, including without limitation:

androstenediol, androstenedione, bolasterone, boldenone, chloroxomesterone (dehydrochlormethyltestosterone) clostebol, dihydroepiandrosterone, dihydrotestosterone, dromostanolone, epitestosterone, 4-chlortestosterone,

fluoxymesterone, formebolone, furazabol, mesterolone, methandienone (methadrostenolone), methandriol, methenolone, methylclostebol, methyltestosterone, methyltrienolone, mibolerone, nondrolone, norandrostendione, norethandrolone, norethindrone, oxabolone, oxandrolone, oxymesterone, oxymetholone, stanozolol, stenbolone, testosterone, trenbolone; and their metabolites, isomers, and other substances with a similar chemical structure or similar biological effect(s).

**(7) Muscle Relaxers**

Including without limitation, Carisoprodol (Soma®), Meprobamate, and/or chemical and pharmacological analogs and related compounds.

**(8) Sleep Aids**

Including without limitation, Zolpidem (Ambien®), and/or chemical and pharmacological analogs and related compounds.

**(9) Beta Blockers**

Including without limitation, alprenolol, carteolol, levobunolol, mepindolol, metipranolol, nadolol, oxprenolol, penbutolol, pindolol, propranolol, sotalol, timolol, acebutolol, atenolol, betaxolol, bisoprolol, esmolol, metoprolol, nebivolol, amosulalol, landiolol, tilisolol, and/or chemical and pharmacological analogs and related compounds.

**(10) Synthetic drugs, including without limitation, synthetic cannabinoids (e.g. spice, K-2, K-3, and K-4 and all other synthetic cannabinoids and marijuana mimetics) and cathinones (bath salts).**

**B. Proper and Improper Use of Prescription and Over-the-Counter Medications/Substances.**

**1.** INDYCAR recognizes that there are many prescription and over-the-counter medications that serve essential or beneficial purposes for the health and well-being of Members, and nothing in this Policy is intended to discourage the proper use of these medications. Just as importantly, however, there are some medications that, even when properly used, may adversely affect a Member's well-being, performance, and/or fitness to be involved in an Event. For example, many types of cough medicines contain codeine, a potent narcotic that may result in drowsiness or diminished alertness.

**2.** Improper use of a prescription or over-the-counter medication or any mind-altering or addictive substance by a Member is prohibited. Improper use includes, without limitation:

- a)** the use of such a medication or substance in a manner that is inconsistent with the instructions provided by the manufacturer, pharmacist and/or the prescribing physician;
- b)** the use of such a medication or substance that causes an individual to have a competitive advantage or a diminished or impaired ability to perform his or her duties in an Event;
- c)** the use of a prescription medication without a valid prescription from a licensed and treating physician who has personally performed a physical and diagnosis of a problem and that was given for a legitimate medical purpose;
- d)** the use of a prescription medication prescribed by a physician who was not advised that another physician was prescribing the same or similar medication;
- e)** the use of a prescription medication supplied by an internet pharmacy; and/or
- f)** the use of a prescription medication that was prescribed more than ninety (90) Days of the sample collection date.



3. To the extent it is determined that the use of any prescribed medication or other substance, including properly prescribed prescription drugs and properly used over-the-counter medications, causes an individual to have a diminished, improved, or impaired ability to perform his or her duties on the day of an Event, those substances shall be deemed to be prohibited substances for purposes of this Policy at the time of such determination, including and without limitation at the time of discovery of the substance following a drug test.

**C. Alcohol.**

1. No Official or Competitor may consume alcohol within twelve (12) hours prior to or during any on-track activity at an Event, nor may any Official or Competitor be under the influence of alcohol at any Event. "Under the influence," for purposes of this Policy, means that the Official or Competitor has an impaired ability due to alcohol consumption to conduct himself or herself as INDYCAR, in the exercise of its sole judgment, would expect at an Event.

2. A Member with breath, urine, saliva, or blood alcohol level above 20mg per 100ml (.02%) at the time of testing is automatically deemed under the influence and unfit to participate in an Event, and any Member whose sample produces a result above the .02% threshold will also be subject to discipline in accordance with this Policy and the Rules.

3. Nothing in this Policy shall preclude INDYCAR from determining that a Competitor or an Official with any alcohol usage, however minimal, including a test result below 20mg per 100ml (.02%), is physically unfit for driving, participating, or officiating in an Event and taking such actions as INDYCAR may deem appropriate under the Rules.

**D. Nutritional Supplements.**

1. Nutritional supplements may contain a prohibited substance under this Policy, whether through contamination or added purposefully, and may not be included on the supplement label. Members should carefully scrutinize any nutritional supplement and should avoid any product sold with a warning advising non-use if the purchaser is subject to a drug testing program.

2. For additional information, Members are strongly encouraged to review the AegisShield website containing information on over 16,000 nutritional supplements ([www.aegisshield.com](http://www.aegisshield.com)).

**E. Masking Agents.** The use or attempted use of any agent or technique that is designed to avoid detection of a prohibited substance under this Policy and/or falsify, alter, compromise, or otherwise tamper with the integrity of a drug test is prohibited. This includes without limitation, illegitimate use of other substances, whether or not prohibited, including, but not limited to, diuretics such as chlorothiazide, hydrochlorothiazide, bendroflumethiazide, and other substances with a similar chemical structure or similar biological effect(s), and providing false urine samples (e.g., urine substitution or synthetic urine, contaminating a drug test sample with chemicals or other substances, and/or using pharmaceutical diuretics to purposely dilute or attempt to dilute a drug test sample).

**F. Substances That Mimic Effects of Prohibited Substances.** Members are prohibited from using any legal or illegal substance, or combination of substances, including but not limited to analogues and derivatives of a prohibited substance.

**G. Manner of Use.**

1. The use of any legal or illegal substance or combination of substances, which when taken into the body, can alter or enhance a person's ability to compete in a manner unfair to other Competitors is a violation.
2. A legal substance may be substantially similar to an illegal drug – i.e., an analogue or derivative of an illegal drug – use of that substance will result in a violation of the Policy.
3. Intravenous infusions and/or injections of more than fifty (50) milliliters per six (6) hour period are prohibited within twenty-four (24) hours of any on-track activity at an Event, except for those legitimately given by a licensed and treating physician who has personally performed a physical examination and diagnosed an acute problem requiring such infusion and/or injection for a legitimate medical purpose or in an approved clinical investigation.

**H. Independent Violations Related to Drugs and Alcohol.**

1. Members are prohibited from using, possessing, purchasing, selling, administering, manufacturing and/or participating in the distribution of prohibited substances or any drug that is illegal to use, possess, purchase, sell, administer, manufacture 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. For the purposes of this Policy, federal bans and definitions of illegal substances supersedes any state and/or local ordinance, regulation or law allowing use of a substance.

2. Members are prohibited from the illegal acquisition and/or illegal distribution of any prescription or over-the-counter medication at any time.
3. Any of the conduct referenced in this subsection IV(H), when committed by Members even where INDYCAR receives information regarding such conduct by reliable means other than a positive drug test including but not limited to convictions or guilty pleas (including pleas of *nolo contendere* or similar pleas but not including an adjournment contemplating dismissal or a similar disposition), constitutes a violation of this Policy and may result in discipline under this Policy.
4. Violations of law related to alcohol, including but not limited to convictions or guilty pleas (including pleas of *nolo contendere* or similar pleas but not including an adjournment contemplating dismissal or a similar disposition) by Members for driving under the influence (“DUI”) or operating while intoxicated (“OWI”), may also result in discipline under with this Policy, particularly where such conduct is committed by a Competitor during the racing season.

**V. Prescription Documentation for Prohibited Substances to the Medical Review Officer.**

**A.** Competitors and Officials are required to notify and provide proof of prescriptions to the MRO for all prohibited substances under this Policy and receive the MRO's approval for use of the prohibited substances prior to participating in an Event. Competitors and Officials shall comply with the following procedure immediately upon receipt of such a prescription from his/her treating physician. Failure to comply with this procedure shall constitute a violation of this Policy and may subject Competitors and Officials to suspension as a result of his or her violation.

- 1.** Using a fax cover sheet, print "INDYCAR Substance Abuse Policy Information", the Competitor or Official's name and telephone number, name of medication, the prescribing physician, and the physician's telephone number. Attach a copy of the prescription providing the dosage and duration instructions for proper use.
- 2.** Fax both the cover sheet and copy of the prescription to the MRO at (888) 595-4949 or email scanned copies to [mro@aukmed.net](mailto:mro@aukmed.net).
- 3.** The Competitor or Official's physician may receive a call from the MRO to discuss the prognosis and expected length of treatment and corresponding duration of the prescription
- 4.** The Competitor or Official shall cooperate with the MRO and provide the MRO any information requested by the MRO in order to receive the MRO's approval prior to using any prohibited substance in connection with an Event. Competitors and Officials required to receive the MRO's approval prior to participating in an Event while using the prohibited substance are required to notify the MRO in accordance with this subsection immediately upon receipt of the prescription from their physician.
- 5.** The same procedure applies to Members other than Competitors and Officials who receive notice that they are required to notify and provide proof of prescriptions to the MRO and receive MRO approval prior to using prohibited substances under this Policy.

## **VI. Testing for Prohibited Substances.**

### **A. General.**

- 1.** Specimen samples will be collected by Aegis which include but are not limited to urine testing (escorted collections) and /or oral fluid.
- 2.** INDYCAR may designate specific INDYCAR representatives to be present at any or all testing collections and it may be required that testing collections are observed.
- 4.** Under certain circumstances, INDYCAR may require Members to provide a sample for purposes of testing under this Policy at a reasonable location other than the Event locations and at a time other than directly prior to, during, or after an Event.

**B. Pre-Licensing Testing.** Competitors and Officials applying for an INDYCAR license and/or membership who intend to perform a job listed above in subsections III(A)(1) and (2) must submit to a drug test and have a negative result submitted as part of that process. Failure to comply with this requirement or a determination that the applicant has committed conduct that would constitute a violation of this Policy will result in INDYCAR's denial of a License and/or membership and INDYCAR may impose conditions upon the approval of such application.

**C. Scheduled Testing.**

1. Drivers and Officials are subject to scheduled testing prior to participating in any on-track activities for the first time during a racing season.

2. At its sole discretion, INDYCAR may require Competitors, Officials and other Members to submit to annual tests, pre-licensing testing, random testing and/or reasonable suspicion testing for the use of one or more prohibited substances and/or alcohol.

3. Competitors and Officials must also follow the prescription notification procedure outlined in the Policy in order to lessen the likelihood of a delay in their on-track activity.

4. INDYCAR reserves the right to apply scheduled testing to other Members as it deems appropriate in its discretion.

**D. Reasonable Suspicion.**

1. INDYCAR may require a Member to submit to a test, including without limitation, urine, breathalyzer, blood, oral fluid/saliva, hair, breath, and/or any other scientifically-acceptable method of testing when INDYCAR has reasonable suspicion that the Member has violated any part of this Policy at any time or that he/she has a diminished, improved, or impaired ability to perform during an Event due to the use of any prohibited substance or alcohol. Examples of the conditions, observations and/or reports that may result in "reasonable suspicion" include, but are not limited to, the following:

a) When a Member is found or observed:

(1) in possession of illegal drugs or drug paraphernalia;

(2) in improper drug-related or alcohol-related activity; or

(3) under the improper influence of drugs or alcohol on the day of an Event.

**b)** Observation of signs, symptoms and/or behaviors that may be associated with the use of prohibited substances or alcohol including, but not limited to:

- (1)** Odor or residual odor associated with prohibited substances or alcohol.
- (2)** Statements made by an individual that may indicate that he/she improperly uses prohibited substances or alcohol.
- (3)** Red or droopy eyes, dilated or constricted pupils.
- (4)** Slurred speech, stumbling, or hyperactivity.
- (5)** Needle marks or other physical evidence that an individual has used a prohibited substance.
- (6)** Unexplained disappearances from an Event.
- (7)** Nose constantly runs, appears red, or persistent sniffing.
- (8)** Unexplained tardiness, absences, or missed appointments;
- (9)** Chronic forgetfulness or broken promises.
- (10)** Involvement in an accident during an Event.
- (11)** Inability to concentrate, remember, or maintain attention.
- (12)** Mental confusion, paranoia, or expression of abnormal or threatening statements.
- (13)** Violent tendencies, loss of temper, or irritability.
- (14)** Unexplained or excessive negligence or carelessness.
- (15)** Extreme, unusual, or unexplained personality change, or unusual, irrational or erratic behavior.
- (16)** Deteriorating personal hygiene or appearance.
- (17)** Pattern of abnormal conduct.
- (18)** Repeated failure to follow instructions or operating procedures.

- (19) Violation of INDYCAR safety policies or failure to follow safe practices.
  - (20) Display of any item that reflects that the individual may be in violation of this Policy.
  - (21) Evidence that an individual has tampered with or not cooperated with a prior drug or alcohol test.
- c) An arrest or conviction for driving while under the influence of alcohol or drugs, or a drug or alcohol related arrest or conviction.
  - d) An examination or test, as provided by the Series Rules and/or this Policy, which shows evidence of or suggests use of a prohibited substance or alcohol abuse or of adulteration or manipulation of the examination or test.
  - e) Aroma of an alcoholic beverage or prohibited substance on or about the breath or body of a Member consistent with use of a prohibited substance or alcohol.
  - f) Following an incident in which careless acts as determined by INDYCAR were observed in connection with an Event.

**E. Random Testing.**

- 1. Random testing rates will be effective at the beginning of every season, and the rate will be set by the PA in consultation with INDYCAR. The drug testing rates may either increase or decrease based upon program test results of the previous year, quarterly program test results, incidents of increased substance abuse activity, other indicators of Policy violations, and substance abuse trends impacting professional sports and the public.
- 2. Random selection for testing will be conducted by the PA through a computer-based random number generator. The testing pool may be based upon Competitors and Officials attending a specific Event or from the current pool of Competitors and Officials.
- 3. Based upon their training and experience, a collector may require a random test to be observed to prevent someone from altering a specimen.

**F. Follow-up Testing.**

- 1. Members may be required to undergo follow-up testing.



**2.** Tests may be:

**a)** Administrative. INDYCAR and/or the PA may request follow-up testing for administrative issues.

**b)** MRO requested. The MRO may request follow-up testing for a variety of reasons, including but not limited to:

**(1)** If the MRO finds that test results are invalid, the MRO may request a follow-up test to assist in analysis.

**(2)** Monitor or determine therapeutic levels of prescription drugs.

**(3)** Assist in the investigative process to determine if there is a legitimate medical reason for test results.

**G. Re-Entry.**

**1.** Members who violate this Policy are required to be tested before returning to INDYCAR.

**2.** In conjunction with the terms and conditions of reinstatement of an INDYCAR License and/or membership, the PA will provide for an evaluation with an appropriate substance abuse professional, which may include substance abuse counseling, treatment or rehabilitation. The PA will determine how many times the Member will be tested, for how long, and for what substances. The PA may also require that collections be under direct observation. Additionally, additional testing as a condition of probation may be required even after the Member has returned to participation.

**VII. Specimens for Testing.**

**A.** Members may be required to submit to a test or tests, including without limitation urine, blood, saliva, hair, and/or breath tests.

**B.** Generally, the type of test, time of testing, and the choice of specimen for a particular test will be decided by the PA. However, under certain circumstances, INDYCAR and/or one of its representatives may also participate in those determinations.

## **VIII. Refusal To Test and Removal from an Event.**

**A. Refusal to Test.** Refusing to submit to testing will be treated as if the test was found to be positive. For the purposes of this Policy, Members have refused to take a test if they:

1. Fail to participate, authorize or cooperate for testing, including failure to follow procedures of Section X.
2. Fail 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. Fail to remain for the duration of testing or until all testing requirements are completed.
4. Fail to provide sufficient amount of the required specimen, and the MRO determines that no legitimate medical reason exists for the insufficient specimen.
5. Fail to permit or allow a required observed collection.
6. Fail to take a requested follow-up test.
7. Fail to consult and/or cooperate with the MRO.
8. Fail 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.
9. Any attempts by Members to mask or alter the results of the test will be considered a refusal.

**B. Removal from an Event.** If a Member refuses to consent to and participate in a test within the time period designated by the Official, the Member may be removed from the Event location by INDYCAR and may be subject to other disciplinary action as may be appropriate pursuant to the Rules.

**IX. Required Authorizations.**

**A. Authorization for Testing and Release.** If a Member refuses to promptly execute the 2014 INDYCAR Substance Abuse Policy Authorization for Testing and Release form enclosed with this Policy and deliver it to INDYCAR by the time designated by INDYCAR for receipt, that Member may not be issued a license and/or membership and, if already issued, the INDYCAR License and/or membership may be suspended until the Member executes the above- mentioned authorization and release and delivers it to INDYCAR.

**B. Authorization for Release of Medical Records.**

**1.** If a Member refuses to authorize the release of that Member's medical records, as deemed relevant in INDYCAR's discretion, or withdraws such authorization for testing and release pursuant to this Policy, the Member will not be issued license and/or membership and, if already issued, the License and/or membership will be suspended until the Member executes the above mentioned authorization and release and delivers it to INDYCAR.

**2.** If INDYCAR directs a Member to submit to a urine, blood, saliva, hair and/or breath test as provided by this Policy, that Member must consent to and participate in the test by the time designated by INDYCAR. If that Member refuses to consent to and participate in such test or tests within the time period designated by the INDYCAR, INDYCAR may eject the Member from the racing premises or take such other action as may be appropriate, and that Member will also be subject to disciplinary action.

**X. Collection and Transport of Specimen(s) – The PA will, among other things, be responsible for the following procedures:**

**A. Identification & Direct Observation.** The PA will confirm the identity of the person whose specimen is taken. Where necessary, the PA will conduct direct observation of the collection of the specimen(s) if directed by the MRO or if in the PA's own discretion, the integrity of the testing process requires it. To direct an observed collection, the PA and his/her agents may consider not only their training and experience, but other factors, not limited to, but including: materials brought to the collection site, a temperature of the original specimen was out of range or the Member's behavior indicates an attempt to tamper with a specimen, etc.

**B. Designated Times.** The PA will ensure that the specimen(s) are collected within the designated time period. Normally, collection shall be made within one (1) hour or less of the notification of the Member that testing will be conducted, unless a different time is designated by the PA and/or INDYCAR based on the circumstances.

**C. Specimen Quality.** The PA will promptly measure the temperature of the specimen(s) to ensure it has not been manipulated. Where results indicate that the sample is inappropriate for testing, the PA and/or INDYCAR may require the Member to provide additional specimen(s) as necessary.

**D. Specimen Handling.** The PA will split specimens into “A” and “B” samples (when possible), label, secure, and transport the specimen(s) to the testing laboratory in such a manner as to ensure that the specimen(s) are not misplaced, tampered with, or relabeled.

**E. Prescription Drug Forms.** The PA will provide a form to be completed by the Member that identifies all prescription and over-the-counter medications consumed by Member in the preceding three (3) months.

**F. Specimen Ownership.** Under this policy, all specimens collected, including both “A” and “B” samples, are exclusively the property of INDYCAR.

**XI. Procedures if a Test Shows the Presence of Prohibited Substances, Adulteration, Substitution – MRO Cancelled Tests.**

**A. MRO Requests for an Interview and Additional Information.** Once the MRO notifies a Member that he/she has a positive drug test or refusal to test because of adulteration or substitution, or other non-negative test, the Member has seventy-two (72) hours from the time of notification to respond to the MRO’s request for an interview and additional information in accordance with the following procedures:

**1.** The MRO may request the following information, for example and without limitation: suitable proof of valid medical prescriptions given by a licensed and treating physician, consent to review records of the prescribing physician, or any other reasonable requests that assist the MRO’s investigation.

2. To assist the MRO's investigation, the MRO may also direct the Member to undergo further independent medical evaluation from a professional designated by the MRO, at the Member's expense. After a medical exam is requested, Members have thirty (30) Days to have the test examination conducted. By obtaining a license and/or membership, Members have consented for the MRO to contact their physician for the purposes of a MRO investigation. 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.

3. When required by this policy, the PA or MRO are to make reasonable efforts to notify Members. Reasonable efforts may include the PA or MRO using email, phone or mail to contact the Member via the contact information the Member provided at the time of collection of the specimen and/or on the license and/or membership application.

4. If the MRO determines that there is no legitimate medical use or legitimate medical explanation for a positive test or refusal to test because of adulteration, substitution, the MRO is to report the results to the PA.

**B. PA's Reporting of Results.** Once the MRO reports a positive test or refusal to test because of adulteration or substitution, the PA is to consider all information derived from the testing process and information derived from the independent investigation of the MRO, and then make a determination of whether the results are positive. If in consultation with the MRO, the PA decides the results are positive, the PA shall inform INDYCAR of a positive result, irrespective of whether the split specimen procedures has been completed. Once split specimen procedures are completed, the PA shall then issue to INDYCAR either a confirmed negative test result or a confirmed positive test result. If split specimen procedures are waived or never acted upon, the PA shall issue a confirmed positive result and violation of this Policy to INDYCAR.

**C. Split Specimen Procedures.** Once the PA or MRO notifies a Member that he/she has a positive drug test or refusal to test because of adulteration, substitution, or other non-negative test, the Member has seventy-two (72) hours from the time of notification to request in writing a test of the split specimen or B sample in accordance with the following procedures:

1. All requests to test a "B" sample must be made in writing to the MRO. Please fax your request with a cover sheet to the MRO at (888) 595-4949, or send your request by email to [mro@aukmed.net](mailto:mro@aukmed.net).

**2.** The “B” sample test shall be conducted at Aegis using the “B” specimen from the original collection. The Member may be present (either personally or be represented by a qualified toxicologist not affiliated with Aegis) during the second test at his/her own expense. If the Member chooses to be present personally or represented by a qualified toxicologist during the “B” sample test, the Member must notify the PA and MRO within the seventy-two (72) hour period in writing mentioned above.

**3.** The “B” sample test will be performed in accordance with the same procedures used by Aegis in the original test of the “A” specimen. If the “B” sample fails to confirm the original test, then the specimen and test will be recorded as negative, and there will be no violation under this Policy. If the “B” sample test confirms the original test, 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 this Policy. The final determination of whether there has been a violation of this Policy will be made by the PA.

**5.** After a “B” sample test is requested, Members have thirty (30) Days to have the “B” sample test conducted and results finalized.

**6.** If the PA or MRO is concerned about the safety and integrity of the competition or other exigent circumstances, the PA or MRO may notify INDYCAR of the original “A” specimen positive test prior to the verification of the results.

**7.** Upon notification of the original “A” specimen positive test, INDYCAR, in its sole discretion, may temporarily suspend a Member’s License and/or membership before the “B” sample test is completed based on the following reasons:

- a)** Concerns regarding the safety of the Members and others at the Event or on-track.
- b)** Concerns regarding the fairness of a competition.
- c)** Exigent circumstances.
- d)** Undue delay to accommodate the presence of the Member (or his/her representative) at the “B” sample test.

For these same reasons, it will also be INDYCAR's standard practice to suspend Competitors and Officials from participating in Events until their Policy violation matters have reached final resolution, including the conclusion of the protest and appeal process, whether the violation is the result of a positive drug test or any other violation under this Policy.

8. The “A” and “B” specimen samples remain the exclusive property of INDYCAR.

9. A Member is not entitled to seventy-two (72) hours to request a B sample test when no specimen was produced or tested due to refusal or when the Member waives the seventy-two (72) hours during the MRO interview.

**D. Cancelled and Negative Tests.** If the PA or MRO verifies a test as cancelled or negative, the results will be reported to INDYCAR. A cancelled and negative test will not be treated as a violation of this Policy.

**E. Suspension of License and/or Membership.** Upon being notified by the PA or MRO of a verified positive or refusal or any violation of this Policy, INDYCAR will suspend a Member’s License and/or membership for an indefinite period and/or take such other disciplinary action deemed appropriate under the circumstances pursuant to the Rules.

**F. Testing Results Publishing.** Under many circumstances, INDYCAR will endeavor to keep the results of any tests as confidential; however, INDYCAR may determine, in its sole discretion, that circumstances warrant the disclosure of such results, and INDYCAR may publish the results of any tests conducted pursuant to this Policy and the circumstances giving rise to such tests to such third parties as INDYCAR, in its sole discretion, deems reasonable under the circumstances. The Member shall have no claim or cause of action of any kind against INDYCAR or the directors, officers, members, owners, successors, assigns, employees, representatives, affiliates or agents of INDYCAR with respect to such publication, and/or shall be deemed to have waived any such claim or cause of action.

**G. Re-Entry.** INDYCAR shall also send the suspended Member a letter containing terms and conditions for consideration of reinstatement of the Member’s License and/or membership. If the Member wishes to have INDYCAR lift the suspension, the Member must agree to INDYCAR’s terms and conditions. In conjunction with the terms and conditions of reinstatement, the PA will also facilitate an evaluation by coordinating an evaluation with the appropriate substance abuse professional that may include substance abuse counseling, treatment or rehabilitation. The PA will determine how many times the Member will be tested, for how long, and for what substances. The PA may also require that collections be under direct observation. Testing will be done at a time and place and under conditions specified by the PA, at the Member’s expense, which will include laboratory fees and all other direct and indirect costs incurred by INDYCAR or the laboratory in connection with each test. When a Member has, to the satisfaction of the PA, completed the requirements set forth in the letter, the Member is eligible for reconsideration of reinstatement of a License and/or membership.



**XII. Disciplinary Action for Prohibited Acts Where There is No Testing for, Prohibited Substances or Alcohol.** With respect to any prohibited act described herein, if an Official determines that a Member has engaged in any such prohibited act, INDYCAR may immediately and at any time remove the Member from the Event location and/or restricted areas or take such other action as is appropriate, and that Member will also be subject to disciplinary action pursuant to Rules. Generally, in the event of a Policy violation that does not involve a positive test (a “non-analytical” violation), the violation will be treated as if a positive has occurred for the prohibited substance(s) involved and the consequences that apply to a positive test for that substance(s) will also apply to the non-analytical violation.

**XIII. Consequences for Prohibited Substances and Acts.**

The following is a non-exhaustive schedule of the standard consequences generally imposed under this Policy for various violations. INDYCAR reserves the right to enhance and/or have additional consequences imposed and to reduce the standard consequences where it deems such modification appropriate under the circumstances.

**A. PED Related Violations.**

For purposes of this paragraph, “PED Related Violations” include violations by Competitors of Section IV(A)(1)(e)(6) (Prohibited PEDs), Section IV(E) (Masking Agents), Section IV(F) (Mimic Effects of Prohibited Substances if related to PEDs), Section IV(H) (Independent Violations Related to PEDs), and Section VIII (Refusal to Test):

**1. First violation:**

- a)** Suspension from participation in any Event and forfeiture of annual credential for one (1) year (365 Days).
- b)** Successful completion of a psychological evaluation and/or substance abuse program prescribed by the PA before a request for reinstatement will be considered.
- c)** Successful completion of observed reinstatement testing as ordered by the PA, meaning that the Competitor has been tested pursuant to the schedule prescribed by the PA and that Competitor’s samples have yielded results acceptable to the PA and which indicate, to the PA’s satisfaction that the Competitor is fit to resume participation in Events, before a request for reinstatement will be considered.

- d)** Medical examination by a board-certified physician and submission of Competitor's evaluation to INDYCAR may be required before a request for reinstatement will be considered.
- e)** \$5,000 monetary fine, which must be paid, in full, before a request for reinstatement of the privilege of participation will be considered.
- f)** The costs associated with complying with these conditions are borne by the Competitor.

**B. Policy Violations other than PED Related Violations:**

This paragraph applies to Policy violations by Competitors and Officials.

**1. First violation:**

- a)** Suspension from participation in any Event and forfeiture of annual credential for a period of no less than sixty (60) Days.
- b)** Successful completion of a psychological evaluation and/or substance abuse program prescribed by the PA before a request for reinstatement will be considered.
- c)** Successful completion of observed reinstatement testing as ordered by the PA, meaning that the Competitor or Official has been tested pursuant to the schedule prescribed by the PA and that Competitor or Official's samples have yielded results acceptable to the PA and which indicate, to the PA's satisfaction that the Competitor or Official is fit to resume participation in Events, before a request for reinstatement will be considered.
- d)** Medical examination by a board-certified physician and submittal of Competitor or Official's evaluation to INDYCAR may be required before a request for reinstatement will be considered.
- e)** Up to a \$2,500 monetary fine, which must be paid, in full, before a request for reinstatement of the privilege of participation will be considered.
- f)** The costs associated with complying with these conditions are borne by the Competitor or Official.

**C. Multiple Violations.**

Where a Member has incurred multiple Policy violations at once or subsequent separate Policy violations, the consequences will be determined on a reasonable basis and after careful consideration of the specific circumstances surrounding the Member's conduct. For multiple and/or repeat violations, the consequences listed in this Section XIII generally will be enhanced and/or combined, and additional consequences may also be imposed based on the specific circumstances of the case and which may ultimately result in a Member's permanent suspension from participation in Events.

**D. Other Members.** For violations under this Policy, INDYCAR may suspend any Member's License and/or membership for an indefinite period and/or take any such other disciplinary action deemed appropriate under the circumstances pursuant to the Rules.

**XIV. Challenges Disciplinary Action.** Challenges by Members to disciplinary action taken by INDYCAR as a result of any violation of this Policy shall be governed under the procedures set forth in Sections 12 (Protests) and 13 (Appeals) of the Rules.

**XV. Self-Reporting.** Pain medications and other substances prohibited or misused under this Policy can be addictive, abused, and generally harmful to the health and well-being of Members. A Member who believes he/she may have a substance abuse issue or problem is encouraged to seek professional assistance or self-help solutions. No penalty will be imposed under the Policy on a Member who voluntarily acknowledges a substance abuse issue or problem to the President of Competition and Operations prior to notice of a drug test. INDYCAR may, however, for the integrity of the individual and sport, temporarily suspend the Member's License and/or membership until the Member has been rehabilitated to the satisfaction of INDYCAR. INDYCAR strongly encourages both self-help and professional treatment for those suffering from a substance abuse issue or problem. INDYCAR does not provide drug or alcohol rehabilitation programs. Many worthy programs, both public and private, are available for the treatment of substance abuse addictions. INDYCAR will continue its efforts to support a drug-free America and a society in which alcohol is not abused.

**XVI. Confidentiality.** Members consent to INDYCAR disclosing information concerning Members as it relates to this Policy, at the sole discretion of INDYCAR. Notwithstanding such consent, it is INDYCAR's standard practice to maintain confidentiality with respect to Members' information as it relates to this Policy, subject to certain exceptions described in the Rules. In the event a Member or his or her representative(s) or others associated with the Member makes public comments about the Member's matters under the Policy or the processes under this Policy in which the Member is involved, then INDYCAR will publicly respond to such comments.

**XVII. Applicability of the Rules.** This Policy, as it may be amended from time to time, is a supplement to the provisions of the Rules, and will be interpreted and applied by INDYCAR. This Policy is binding upon all INDYCAR Members in the same manner and to the same extent as are the provisions of the Rules.



**INDYCAR  
2014  
INDYCAR  
SUBSTANCE ABUSE POLICY  
AUTHORIZATION FOR TESTING AND RELEASE**

I have read the 2014 INDYCAR Substance Abuse Policy.

I hereby give my consent to INDYCAR, LLC d/b/a INDYCAR (“INDYCAR”) and its designated agents, including but not limited to Aegis Sciences Corporation, to collect blood, urine, saliva, hair, and/or breath specimens from me; and to test those specimens for the presence of alcohol and/or any prohibited substance under the 2014 INDYCAR Substance Abuse Policy; and to conduct such other tests as INDYCAR deems necessary from time to time to determine my fitness to participate in or at an Event, all as set forth in the 2014 INDYCAR Substance Abuse Policy as it may be amended from time to time. In addition, I give my permission to any doctor, nurse, technician, laboratory, or health facility which administers drug or alcohol tests to release the results of any tests of examinations to INDYCAR or its designee.

I recognize that the 2014 INDYCAR Substance Abuse Policy has been adopted and is administered by INDYCAR to promote the safety and integrity of INDYCAR-sanctioned racing. Accordingly, I ALSO HEREBY RELEASE, DISCHARGE, COVENANT NOT TO SUE AND AGREE TO HOLD HARMLESS INDYCAR, ACCUS-FIA, Hulman Motorsports Corporation, Indianapolis Motor Speedway, LLC, series organizers, and testing laboratories and their officers, directors, members, owners, successors, assigns, agents, employees, representatives, affiliates, as well as any individual or company in any way affiliated with INDYCAR and any other persons or entities against whom I might have a claim, from and/or for claims, damages, losses, or expenses of any kind, whether caused by negligence or otherwise, arising out of the implementation of the 2014 INDYCAR Substance Abuse Policy, or any act or omission in connection therewith, including and without limitation the testing of specimens and the publication of the test results and circumstances giving rise to such test to any third party or parties by INDYCAR or such drug testing laboratories or program administrators or medical review officers, as well as the directors, officers, members, owners, successors, assigns, employees, representatives, affiliates, and agents of each of them, or any other persons or entities.

I have received and read a copy of this document.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
(City and State)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Position

\_\_\_\_\_  
Affiliation