

### **NHL/NHLPA PERFORMANCE-ENHANCING SUBSTANCES PROGRAM SUMMARY**

#### **PROGRAM COMMITTEE:**

The Performance-Enhancing Substances Program Committee (PESC) is comprised of an equal number of NHL and NHLPA representatives. Ian Penny (Interim), Bill Daly, Dr. Brian Shaw and Dr. David Lewis are the current committee members.

The Committee was responsible building upon the educational component of the NHLPA/NHL Substance Abuse & Behavioral Health Program by establishing a comprehensive educational program for the players on the dangers of performance-enhancing substances. Every team has had an in-person orientation session on the program and distribution of informational materials that describe all relevant aspects of the program.

#### **TESTING PROCEDURES:**

Following their orientation session on the program, every NHL player will be subject to up to three "no-notice" tests from the start of training camp through the end of the Regular Season. Testing is conducted as follows: 10 teams will be subject to one no-notice test, 10 teams will be subject to two no-notice tests and 10 teams will be subject to three no-notice tests.

**SAMPLE-COLLECTING AUTHORITY:** Comprehensive Drug Testing, Long Beach California

**TEST LABORATORY:** INRS-Institute Armand-Frappier, Laval Quebec

#### **DISCIPLINARY PENALTIES:**

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Written by NHL and NHLPA

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- Positive tests for performance-enhancing substances will result in mandatory discipline as follows:
  - For the first positive test, a 20-game suspension without pay and mandatory referral to the NHLPA/NHL Substance Abuse & Behavioral Health Program for evaluation, education and possible treatment.
  - For the second positive test, a 60-game suspension without pay.
  - For the third positive test, a permanent suspension. A player receiving a third positive test and a permanent suspension from play in the League will, however, be eligible to apply for reinstatement after two years. The application would be considered by the Committee.

### **PROHIBITED SUBSTANCES LIST:**

- The Committee agreed on the performance-enhancing substances list maintained by the World Anti-Doping Agency (WADA) for out-of-competition testing. Changes to the items included on the Prohibited List can only be as negotiated by the NHL and NHLPA.
- The PESCS is currently compiling a list of supplements that are certified as safe from contamination and disallowed performance enhancing ingredients. Players are encouraged to request further information from the PESCS if a supplement of interest is not on the certified list.

### **APPEAL PROCEDURES:**

- The NHLPA, on a Player's™ behalf, can appeal a positive test result to the Impartial Arbitrator, with such appeal to be heard on an expedited basis.
- Test results will be kept confidential. There will be no public announcement of any kind until the appeal process has been exhausted and the final disciplinary determination has been imposed.

### **PROGRAM FUNDING:**

All costs of administering the Program, including the costs associated with mandatory no-notice testing, is the responsibility of the NHL. However, any salary which is forfeited by a Player by reason of a suspension arising from the Player's violation of the PES Program will be utilized to help defer the costs of both the SABH Program and the PES Program