



Ohio Administrative Code Rule 3773-1-12 Drug testing.

Effective: [March 14, 2013](#)

(A) In order to ensure the safety of all contestants and to protect the integrity of boxing, wrestling, tough person, kick boxing, karate, mixed martial arts or other unarmed combat sport exhibitions regulated by the Ohio athletic commission, the commission hereby regulates the use of any alcohol, drug of abuse, steroids or any documented illegal enhancement substances, as governed by division (A) of section 3719.011 of the Revised Code, by any licensed contestant while training for or participating in an event regulated by the Ohio athletic commission.

(B) The personal use of any alcohol or drug of abuse as defined in division (A) of section 3719.011 of the Revised Code is prohibited without a legal prescription. Acting with reasonable cause, or through random selection, the executive director, inspector, or any investigator employed by the Ohio athletic commission may direct any contestant to submit a sample of their urine or blood. The sample shall be taken in the presence of the commission's inspector, physician or other representative designated by the commission, and in the manner prescribed by the commission.

(C) Such samples or tests pursuant to the requirements of this rule may be requested at any time on the day of the bout or event in which the contestant is participating, or within twenty-four hours thereafter.

(D) Any random selection may be witnessed by the contestants participating in the event or their representatives. The executive director shall determine the number of random samples to be taken for each event.

(E) Because of the importance of championship or title bouts, all professional events shall be subject to mandatory alcohol or drug testing, steroids or any documented illegal enhancement substances, amateur championship or title bouts may be randomly tested. Promoters will be assessed a fee of one hundred dollars for professional title bouts and fifty dollars for any amateur title bouts that are drug tested. This fee will be paid directly to the laboratory through the athletic commission.



(F) Failure of any contestant to supply a urine or blood sample when requested by a person designated by the Ohio athletic commission, shall subject the contestant to a suspension of not more than one year for the first offense. A second and all subsequent failures or refusals to provide a requested urine or blood sample shall be considered as grounds for license revocation.

(G) The commission may withhold the contestant's purse until the results of the test are concluded. If the laboratory test concludes that the preliminary tests were accurate and the contestant was in violation of division (A) of section 3719.011 of the Revised Code. The Ohio athletic commission shall administer appropriate disciplinary action under section 3773.53 of the Revised Code.

(H) A contestant whose license is suspended or revoked under this rule and was declared the winner of the contest shall be disqualified, and the decision of the contest shall be changed to "no contest." The results of the contest shall remain unchanged if the contestant who is suspended or revoked under this rule was the loser of the contest.

(I) If the laboratory test results prove to be negative or inconclusive, no action shall be taken and all results of the bout will stand.

(J) If the laboratory test results are positive involving a urinalysis or blood, disclosing the presence of any alcohol or drug of abuse, steroids or any documented illegal enhancement substances, prohibited in this rule, the contestant will be suspended for a period of not more than one year, will be assessed a fine and must pay for all fees for any laboratory tests. The contestant will remain suspended until all fines and fees are paid. The contestant may appeal by registered mail to the executive director or commission for a hearing within thirty days of the mailing date of the notice of the suspension.

(K) Upon any second offense involving urinalysis or blood, disclosing the presence of any alcohol or drug of abuse, steroids or any documented illegal enhancement substances prohibited in this rule, in addition to any suspension, fine or revocation ordered by the commission, the contestant will be prohibited from participating in any event in the state of Ohio until they have voluntarily enrolled in a rehabilitation program certified by the Ohio department of mental health, bureau of drug abuse, or the "Joint Commission on Accreditation of Hospitals," and submit a report from said program indicating the contestants satisfactory attendance and completion of the program.



(L) Contestants who are prohibited from competing in other states or jurisdictions for any drug violation shall be prohibited from competing in the state of Ohio.

(M) In the event any contestant subject to this rule is taking a substance pursuant to a valid prescription on order from a licensed physician or dentist, it shall be that contestant's responsibility to give written notice of same to the commission or its representatives prior to participating in any event. The written notice shall contain the following:

(1) Name of the substance.

(2) The quantity and dosage of the substance prescribed.

(3) The name, address and telephone number of the physician or dentist prescribing the substance.

(N) All preliminary urinalysis or blood tests shall be conducted at the expense of the Ohio athletic commission. Any appeal of any laboratory tests that prove positive the expenses shall be paid by the contestant. Failure of the contestant to pay expenses within thirty days of receiving notice will result in the immediate suspension of the contestant, until fees are paid.

(O) The contestant may waive in writing submitting to any follow-up tests and accept the results of the preliminary test. Failure to notify the commission to waive submitting to any follow-up tests within seventy-two hours of the original test will consider the test results final.

(P) Any licensee alleged to be in violation of this rule by the commission may request a hearing in accordance with the provisions of Chapter 119. of the Revised Code and rule 3773-1-11 of the Administrative Code.