

Chapter SPS 196

DISCIPLINE

SPS 196.01 Grounds for discipline.
SPS 196.02 Medical suspensions and mandatory rest periods.

SPS 196.03 Mandatory drug testing.

Note: Chapter RL 196 was renumbered chapter SPS 196 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671.

SPS 196.01 Grounds for discipline. (1) The department may reprimand, deny, limit, suspend, or revoke the credential of any promoter or professional club member, matchmaker, official, or representative who commits any one of the following:

(a) Violates any state statute or rule related to the sport of mixed martial arts.

(b) Conducts an event or engages in conduct at an event in a manner that would pose unreasonable risk of harm to spectators or participants.

(c) Interferes with an inspector, judge, referee, or ringside physician while performing their official duties at an event.

(d) Misrepresents material facts related to an event including the identity or record of a contestant.

(e) Associates or consorts with bookmakers or gamblers as defined in ch. 945, Stats., or has engaged in similar pursuits.

(f) Has been found guilty of any fraud or misrepresentation substantially related to the sport of mixed martial arts, or any crime as defined in ss. 111.321, 111.322 and 111.335, Stats.

(g) Has violated any law related to fraud or misrepresentation substantially related to the sport of mixed martial arts, or any crime as defined by ss. 111.321, 111.322 and 111.335, Stats.

(h) Does not meet the financial obligations required by these rules.

(2) No person whose license has been suspended or revoked may participate in any mixed martial arts event including entering the dressing rooms or entering the contest area at any event. If a person's suspended license has been reinstated then that person may participate in any mixed martial arts event including entering the dressing room or entering the contest area at any event.

(3) The department may deny the application, reprimand, limit, suspend, or revoke the credential of any mixed martial arts contestant or second if any one of the following occurs:

(a) Violates any state statute or rule related to the sport of mixed martial arts.

(b) Fails to comply with a directive of or interferes with an inspector, referee, or ringside physician while performing their official duties at an event.

(c) Engages in conduct which would cause spectators, officials or participants at an event an unreasonable risk of harm, including throwing a mouthpiece into the audience during or after an event.

(d) Makes a materially false statement in an application or provides any materially false information to the department, its representatives, or officials.

(e) Holds, or has held, a license to engage in the sport of mixed martial arts in another jurisdiction which has been revoked, suspended or limited for reasons which are substantially the same as the grounds for revocation, limitation, or suspension stated in this section.

(f) Subject to ss. 111.321, 111.322, and 111.335, Stats., has been convicted of a crime or subject to an adverse action. The licensee shall send to the department within 30 days of the judgment of conviction a copy of the complaint or other information which describes the nature of the conviction. The applicant shall

disclose the nature of any conviction or pending criminal allegation while their application is under review.

(g) Is not capable of competing in a bout due to the use of alcohol or drugs. The department may require a mixed martial arts contestant to submit to a drug test pursuant to s. SPS 196.03 and s. 444.095 (3) (c), Stats.

(h) The commissioner or department representative may seek an order to hold a contestant's purse for failing a drug test that tests positive for alcohol, drugs, controlled substances, anabolic steroids, or illegal enhancement substances in violation of these rules and s. 444.095 (3) (c), Stats.

(i) Is not physically fit to engage in professional mixed martial arts competition, or fails to perform to the best of their ability based on information contained in a physical examination report or other reliable information.

(j) Participates in any mixed martial arts event not sanctioned and approved by the department.

(k) If licensed as a professional mixed arts contestant, in any jurisdiction, competes in a mixed martial arts event as an amateur.

(L) Fails to appear or compete in a contest in which they signed a bout agreement to appear. The contestant may provide a certificate from a physician, subject to the approval of the commissioner or department representative, verifying a physical disability. The contestant who files a certificate from a physician stating they are unable to fulfill a bout agreement because of physical disability, shall be given a medical suspension for a term deemed appropriate by the department. The contestant shall submit a medical clearance from a physician, subject to the approval of the commissioner or department representative before having their medical suspension cleared and their license reinstated.

(m) Fails to appear for their report time for their official weigh-in or fails to make their contracted weight within 2 hours of their official weigh-in time, and as a result their scheduled bout is cancelled in accordance with s. SPS 193.14.

(n) Verbally harassing or physically abusing any department representative or official before, during or after an event regulated by the department.

History: EmR1032: emerg. cr., eff. 9-1-10; CR 10-102: cr. Register April 2011 No. 664, eff. 5-1-11, correction in (3) (n) under s. 13.92 (4) (b) 7., Stats., Register April 2011 No. 664, eff. 5-1-11; correction in (3) (g), (m) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

SPS 196.02 Medical suspensions and mandatory rest periods. (1) A contestant who is determined by the referee to have sustained a knock-out may not compete and is subject to a mandatory 60-day suspension, s. SPS 195.12 (2) defines a knock-out or ("KO") as a failure to rise from the floor.

(2) A contestant who is determined by the referee to have sustained a technical knock-out may not compete and is subject to a mandatory 30-day suspension, s. SPS 195.12 (3) defines a technical knock-out or ("TKO") as any of the following; the referee stops the bout because the contestant can no longer defend themselves, the ringside physician advises the referee to stop the bout, or a contestant sustains an injury as a result of a legal maneuver severe enough to terminate the bout.

(3) The ringside physician may also determine that a contestant is subject to a medical suspension, after conducting the post-bout examination.

(4) The suspension provided for in sub. (1), (2), or (3) shall not be cleared by the department until a contestant complies with all post-bout medical requirements determined by the ringside physician.

(5) Without a release from the commissioner or department representative, a mixed martial arts contestant may not compete until 7 days have elapsed from their last bout. The 7-day period begins the day following the event in which they competed.

(6) Without a release from the commissioner or department representative, an amateur or a professional mixed martial arts contestant competing in a non-sanctioned contest may not compete again until 60 days have elapsed from their last bout. The 60-day period begins the day following the event in which they last competed.

(7) If a contestant is reported on "Mixed Martial Arts LLC," "Fight Fax Inc." or "FCFighter's" suspension lists, another jurisdiction, or any other suspension list recognized by the department, the contestant will not be able to compete without a release from the commissioner, inspector or department representative.

History: EmR1032: emerg. cr., eff. 9-1-10; CR 10-102: cr. Register April 2011 No. 664, eff. 5-1-11; correction in (1), (2) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

SPS 196.03 Mandatory drug testing. (1) Mixed martial arts contestants may not engage in the personal use of drugs, including all anabolic steroids or controlled substances, pursuant to s. 444.095 (3) (c), Stats., while participating in a bout, except when prescribed, dispensed or administered by a licensed physician or dentist for a legitimate medical condition.

(2) It shall be the contestant's responsibility to provide written notice or a prescription to the department before participating in any event. The written notice or prescription shall contain the name of the substance, the quantity and dosage of the substance prescribed, and the name, address and telephone number of the physician or dentist prescribing the substance.

(3) Mixed martial arts contestants may not be under the influence of alcohol while participating in a bout.

(4) The commissioner, department representative, or ringside physician may require any mixed martial arts contestant to submit to a drug test including the testing of urine, hair, or blood specimens.

(5) The department representative or ringside physician may require a contestant to submit to testing for the presence of alcohol, drugs, controlled substances, or steroids at any time after the official weigh-in, on the day of the bout in which the contestant is participating, or within 24 hours of competing in a bout based on reasonable cause or random selection.

(6) Grounds for reasonable cause include all of the following:

(a) The commissioner, inspector, department representative, or ringside physician observes the contestant or receives information that a contestant is under the influence of alcohol, drugs, controlled substances or steroids.

(b) The contestant has previously tested positive for drugs, controlled substances or steroids.

(7) The random testing of contestants competing in a bout shall be conducted by the inspector or department representative. The department representative shall determine the number of random tests for each event. Both contestants competing in a selected bout shall submit to a drug test.

(8) The collection of specimens from contestants for drug testing shall be taken in the presence of the inspector, department representative, or ringside physician in a manner prescribed by the official. Specimens may include urine, hair samples, or blood. Specimens shall be tested at a facility acceptable to the department. Results of all drug tests shall be submitted directly to the department.

(9) If laboratory testing of a contestant's specimen test positive for any alcohol, drug, controlled substance, anabolic steroids or illegal enhancement substances, the contestant shall be disciplined. A contestant who is disciplined and who was the winner of a contest shall be disqualified and the decision shall be changed to no contest. The results of a contest shall remain unchanged if a contestant who is disciplined was the loser of the contest.

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

(11) Contestants who are prohibited, restrained, disqualified, or are otherwise ineligible to compete in another state or jurisdiction due to a disciplinary action that involves the use of drugs shall not compete in any department authorized event until such time as the period of prohibition, restraint, disqualification, or ineligibility is completed or removed and subject to the approval of the commissioner, or department representative.

(12) Subject to the discretion of the commissioner, or department representative, a contestant with a previous disciplinary action in another state or jurisdiction may be required to take a drug test before being allowed to compete in any department authorized event.

(13) The promoter shall be responsible for the costs of testing contestants for drugs. Any requests for follow-up or additional testing shall be the financial responsibility of the contestant.

History: EmR1032: emerg. cr., eff. 9-1-10; CR 10-102: cr. Register April 2011 No. 664, eff. 5-1-11.