

Spokane Teaching Health Center

MOONLIGHTING POLICY

Approved on May 26, 2013

This policy applies to residents and fellows in all accredited (ACGME) and non-accredited training programs.

Purpose: The Accreditation Council for Graduate Medical Education (ACGME) Institutional Requirements stipulates that sponsoring institutions must have policies regarding professional activities outside the educational program. This policy will address specific guidelines and procedures for residents/fellows seeking to participate in moonlighting activities.

Definitions: Moonlighting is defined as any compensated employment performed by a licensed resident/fellow which is outside the scope of his/her regular training program, rotations, assignments and requirements. Spokane Teaching Health Center GMEC and the sponsored residency/fellowship programs take seriously the responsibility of providing a high quality learning environment for residents/fellows, notably by ensuring an adequate balance between education and patient care activities within the duty hour limitations prescribed by the ACGME. Moonlighting activities may not fulfill any part of the clinical experience that is required of the resident/fellow's training program and may not interfere with the resident/fellow's training. Residents/fellows are specifically never required to engage in moonlighting. PGY-1 residents are not permitted to moonlight under any circumstance.

Each residency/fellowship program may have its own supplemental policy on moonlighting activities, which may be more restrictive than this policy.

Medicare Regulations: Medicare stipulates that residents/fellows may not bill a professional fee for physician services provided as part of their approved training program. Medicare does allow residents/fellows to bill Medicare for physician services provided outside of the scope of their approved training program in certain circumstances.

Medicare also mandates where moonlighting services can be provided as follows:

1. Approved Training Program Site:

- a. Billable moonlighting services do not include services to inpatients of hospitals participating in the resident/fellow approved training program.
 - b. Billable moonlighting services may include outpatient and emergency room services provided the services are identifiable and separate from services provided as part of an approved training program.
2. Non-Approved Training Site:
- a. Billable moonlighting services may include inpatient, outpatient or ambulatory settings.

Malpractice Coverage: Professional liability coverage is not provided by Spokane Teaching Health Center for resident/fellow moonlighting activities, as these are outside the scope of their training program. The resident/fellow must either purchase sufficient malpractice insurance to cover his/her moonlighting activities or obtain written assurance from the outside employer that they will be provided with adequate professional liability insurance.

Procedure: Prior to the acceptance and commencement of any moonlighting activity, any resident/fellow wishing to moonlight must submit a completed and signed Moonlighting Attestation Form to his/her Program Director for approval. The Program Director must provide written approval in advance of the moonlighting experience. A copy of the completed form will be placed in the resident/fellow's file and a copy provided to the Office of Graduate Medical Education. The Moonlighting Attestation Form is valid for one academic year and must be renewed annually.

Resident/Fellow Responsibilities: Upon approval of any moonlighting activity it is the responsibility of the resident/fellow to:

1. Adhere to Duty Hours limitation set forth under the ACGME and the Spokane Teaching Health Center Graduate Medical Education Committee (GMEC). Time spend moonlighting must be included in the calculation of Duty Hours done as part of the Program's Duty Hours monitoring.
2. Notify their Program Director if the facility, activities and/or hours of the moonlighting change and complete a new Moonlighting Attestation Form.
3. Maintain the unrestricted medical licensure required by their state (or the state in which the moonlighting is done) to participate in moonlighting activities.
4. Understand that participating in moonlighting activities without prior approval of his/her Program Director may be ground for disciplinary action including dismissal from the training program.
5. Understands that moonlighting is not allowed to overlap resident duties or during times of leaves of absences from residency training.

Program Director Responsibilities: Once a resident/fellow has begun an approved moonlighting activity the Program Director must monitor the following:

1. The resident/fellow's performance to ensure that moonlighting activities do not interfere with the ability of the resident to meet the goals, objectives, assigned duties, and responsibilities of the educational program. Residents/fellows are cautioned not to return from moonlighting activities fatigued to the point it interferes with their educational responsibilities.
2. The resident/fellow's duty hours.

The Program Director may withdraw approval of the moonlighting activity at any time he/she determine that the resident/fellow is not in compliance with the conditions of approval or that it appears that the moonlighting activities are interfering with the resident/fellow's approved training program.

Foreign National Physicians: Residents/fellows employed under a J-1 visa are strictly prohibited by law from participating in moonlighting activities. Resident/fellows employed under an H1-B and O-1 visas may be able to moonlight under specific, very limited circumstances and should contact the Office of Graduate Medical Education for further information.