GRADUATE MEDICAL EDUCATION COMMITTEE POLICY NO. 11

A: SUBJECT: Moonlighting Activities

B: EFFECTIVE DATE: January 21, 2015 (R)

C: POLICY:

The Graduate Medical Education Committee (GMEC) believes that graduate medical education should be a full-time educational experience. Graduate medical trainees should not be diverted from their primary responsibilities including their own educational activities and the management of patients charged to their care by engaging in any moonlighting activities. The Graduate Medical Education Committee believes that moonlighting by graduate medical trainees is generally inconsistent with the educational objectives of their training. The ACGME regulations on resident duty hours recognize this inconsistency:

- VI.G.2.a) Moonlighting must not interfere with the ability of the resident to achieve the goals and objectives of the educational program.
- VI.G.2.b) Time spent by residents in Internal and/or External Moonlighting (as defined in the ACGME Glossary of Terms) must be counted towards the 80 hour Maximum Weekly Hour Limit.
- VI.G.2.c) PGY1 residents are not permitted to moonlight.

D: DEFINITION:

- Internal moonlighting Voluntary, compensated, medically-related work (not related to training requirements) performed within the University of Virginia Health System or its affiliated institutions. This includes all extracurricular clinical or non-clinical work performed by a graduate medical trainee outside the scope of his/her training program and/or outside of time spent in training activities.
- External moonlighting Voluntary, compensated, medically-related work performed outside the University of Virginia Health System or its affiliated institutions. This includes all extracurricular clinical or non-clinical work performed by a graduate medical trainee outside the scope of his/her training program and/or outside of time spent in training activities.

GENERAL:

1. Each residency and fellowship training program must have a written policy on moonlighting. This policy may include specific circumstances under which these activities are allowed and the procedure for requesting program director, chair, and DIO approval. Programs and departments may have policies which are more restrictive than the institutional policy. Programs must not require graduate medical trainees to engage in moonlighting activities. Each department's policy regarding moonlighting activities must be well-publicized to its graduate medical trainees (e.g., handout materials; intranet).

2. It is the responsibility of the program director working with the respective department chair to perform the initial determination of the appropriateness of specific proposed moonlighting activities within the department's educational objectives. Should a graduate medical trainee...
be approved by his/her program director for moonlighting, then an application to moonlight
must be submitted to the Graduate Medical Education Office (GMEO) no less than 60 days
prior to the intended start of the moonlighting activity. Applications will be referred to the DIO
for review and approval. **Trainees may not begin moonlighting prior to receiving GME
approval. If moonlighting as a clinical staff member (attending) at UVA, credentialing
through the Clinical Staff Office for that role cannot begin before GME approval is
received.**

4. In view of the serious legal implications of graduate medical trainees engaging in
unauthorized moonlighting activities, noncompliance with this policy may result in certain
penalties or severe disciplinary action, including dismissal from the residency or fellowship
training program. Specific penalties or disciplinary action will be determined by the appropriate
program director, department chair, or DIO.

5. The program director is responsible for monitoring fatigue levels of all graduate medical
trainees participating in all moonlighting activities. Faculty and graduate medical trainees must
be educated to recognize the signs of fatigue and sleep deprivation and must adopt and apply
policies to prevent and counteract its potential negative effects on patient care learning. The
trainees' performance must be monitored for the effect of these activities and adverse effects
may lead to withdrawal of permission.

6. Time spent by trainees in any moonlighting activity must be counted towards the 80 hour
Maximum Weekly Duty Hour Limit. All moonlighting duty hours must be recorded in New
Innovations as moonlighting duty hours in addition to the duty hours worked for the regular
educational rotation.

7. In consideration of duty hour restrictions, no graduate medical trainee assigned to an inpatient
service requiring in-house call shall engage in any moonlighting activity during that rotation.

8. Applications to moonlight will be reviewed and approved by the DIO.

9. Audits of moonlighting duty hours logged will be performed by the GMEO and trainee's
Program Director.

10. Applications are valid for a six month period, at which time a re-application may be submitted
for consideration.

**Internal Moonlighting**

There are three types of Internal Moonlighting Activities:

1. **Non-Clinical:** Where activity does not require that the incumbent hold a medical license.
(examples include registration of patients in clinical trials, participation in development of
institution sponsored IT applications):
   - Trainee does not need a permanent medical or DEA license
   - Trainee does not require additional malpractice insurance
   - Trainee does not require credentialing as a Clinical Staff member
   - Trainee may require supervision in this role depending on duties.

2. **Clinical, functioning as a Trainee** (examples include Trainees in a Research year
covering clinical duties in their own program; Trainees taking on additional duties to cover
for a short term staffing shortage in their own program; Trainees from one program
covering another program so the first program can hold a retreat):
- Trainee does not need a permanent medical or DEA license
- Trainee does not require additional malpractice insurance
- Trainee does not require credentialing as an Clinical Staff member
- Trainee DOES require supervision by a Clinical Staff member

3. Clinical functioning as an LIP/Clinical Staff member (examples include IRPA):

- Trainee must hold permanent medical and her/his own personal DEA license.
- Trainee must be credentialed by the Clinical Staff Office (CSO) as a Clinical Staff member. Credentialing by CSO involves obtaining a contract and additional malpractice insurance.
- Trainee cannot function as a Clinical Staff Member in her/his own training program.
- Trainee CAN bill for services.
- Trainee DOES NOT require supervision in this role.

External Moonlighting

There are two types of External Moonlighting Activities:

1. Non-Clinical: Where medically related activity does not require that the incumbent hold a medical license.

   - The training license, DEA license and malpractice coverage that a trainee holds for her/his GME program position do NOT extend to work performed outside of that program. Therefore, requirements to function externally in a non-clinical role will vary depending on the job description and the outside facility's stipulations.
   - Documentation required by GME in order to approve moonlighting applications in this category will be handled on a case by case basis.

2. Clinical functioning as an LIP/Attending (examples include working at the Transitional Care Hospital (TCH), Prompt Care or Western State Hospital):

   - Trainee must hold permanent medical and her/his own DEA license.
   - Trainee is responsible for completing that institution’s credentialing requirements. (While UVA’s Clinical Staff Office credentials providers for the TCH, the TCH is not part of UVA, and therefore, considered external.)
   - Trainee is responsible for obtaining her/his own malpractice insurance. The malpractice coverage provided for GME training does not extend to trainee functioning as an independent provider outside their training program.
   - Trainee does not require supervision.

Revised/Approved, Graduate Medical Education Committee, December 17, 2003
Updated, Graduate Medical Education Committee, October 1, 2006
Updated, Graduate Medical Education Committee, May 2, 2007
Updated, Graduate Medical Education Committee, August 30, 2007
Updated, Graduate Medical Education Committee, March 19, 2008
Updated, Graduate Medical Education Committee, October 21, 2009
Updated, Graduate Medical Education Committee, February 17, 2010
Reviewed GMEC Policy Subcommittee: March 8, 2011
Reviewed GMEC Policy Subcommittee: October 24, 2012
Reviewed GMEC Policy Subcommittee: November 13, 2012
Reviewed/Approved GMEC: November 14, 2012
Revised/ Approved: GMEC, January 21, 2015
# GME Moonlighting Application

Trainee Name: ____________________________________________________________

Current Training Program: _____________________________________________ Current PGY Level: __________

Where will you be moonlighting? (Print name of facility): ____________________________________________________________

Dates Requested (may not exceed a 6 month period): ____________________________________________________________

Description of duties: ______________________________________________________________________________________
_______________________________________________________________________________________________________

Estimated Hours per Shift: __________ Estimated Shifts per Month: ________________

IS THIS A RENEWAL? ______ IF SO, YOU DO NOT NEED TO RESUBMIT THE REQUIRED DOCUMENTS.

I will be moonlighting as (Check One): (see attached Moonlighting Policy for examples).

#### INTERNAL MOONLIGHTING (at UVA)

- **Clinical as a Trainee**
  - Use your own training license and training malpractice
  - Requires supervision by an Attending
  
  Who will be supervising you?
  
  (print name of Attending or Faculty sponsor for this activity)

- **Clinical as an Attending**
  - Attach copy of permanent medical license
  - Attach copy of independent DEA license *(DEA fee may be waived for UVA faculty, see CSO for details)*
  - Must be credentialed by the Clinical Staff Office (CSO) who will assist you in obtaining your independent malpractice. CSO will be notified when GME approves your moonlighting application so that your credentialing can begin.

- **Non Clinical**
  - Requirements will vary depending on the job description

#### EXTERNAL (at facilities not owned by UVA, including TCH)

- **Clinical as an Attending**
  - Attach copy of permanent medical license
  - Attach copy of independent DEA license
  - Attach copy of independent malpractice insurance
  - Must complete outside institutions’ s credentialing requirements (note that UVA’s Clinical Staff Offices credentials for TCH)

- **Non Clinical**
  - Requirements will vary depending on the job description and the outside facility’s stipulations
Please read and sign the following.

I certify that:

- I have read the Moonlighting Policy and understand outside employment is not an excuse for poor job performance, absenteeism, tardiness, early departure, or refusal to accept additional training assignments. I will inform the Program Director of any changes, corrections, or additions to moonlighting location, schedule, duties or work hours.
- I understand that hours spent moonlighting count towards the 80 hour weekly limit and that I will record regular rotation hours as well as moonlighting hours (in New Innovations) for the duration of the time I engage in Moonlighting.
- I understand that this approval can be revoked at any point by either the Program Director or GME Office if difficulties with learning, performance, patient care, fatigue or any other issues arise.

Trainee Name: __________________________________________________________ Date: ______________

Trainee Signature: __________________________________________________________________________

Program Director Acknowledgement

For Moonlighting Internally as a Trainee:

I attest that this trainee will work under the supervision of a faculty member at all times. This resident may not bill for any services provided, and, similar to required residency rotations, his/her scope of practice is based upon level of training and experience as defined in departmental policies.

I acknowledge that I am responsible for monitoring duty hours and fatigue on all graduate medical trainees participating in all moonlighting activities.

For Moonlighting as an Attending (Internal or External):

I attest that the graduate medical trainee has already achieved competency in the expected area of the clinical care and can function as an independent practitioner.

I acknowledge that I am responsible for monitoring duty hours and fatigue on all graduate medical trainees participating in all moonlighting activities.

Program Director Name: __________________________________________ Date: ______________

Program Director Signature: __________________________________________

Approved: __________________________________ Date: ______________

Susan E. Kirk, MD, Designated Institutional Official

COMPLETED APPLICATION AND ALL REQUIRED DOCUMENTATION MUST BE SUBMITTED TO THE GME OFFICE FOR APPROVAL. (Tonya Test TMT4F@virginia.edu or fax 434-244-9438) YOU MAY NOT BEGIN MOONLIGHTING UNTIL YOU HAVE RECEIVED GME APPROVAL AND, IF INDICATED, ANY REQUIRED CREDENTIALING.