

<b>GME Policy #: III-F</b>	<b>Graduate Medical Education Policy &amp; Procedures Pennsylvania Hospital</b>	<b>Page 1 of 6</b> Effective: 06-18-08
	<b>Subject: House Staff Moonlighting</b>	

**POLICY**

Moonlighting is defined as compensated clinical work performed by a resident or fellow (“house officer”) during the time that he/she is a member of a Pennsylvania Hospital of the University of Pennsylvania Health System (PAH) sponsored training program that is outside of the authorized training program.

The Graduate Medical Education Committee (GMEC) and the PAH sponsored graduate medical education (GME) programs take seriously the responsibility of ensuring a high quality learning environment for house officers, notably by ensuring a proper balance between education and patient care activities within duty hour limitations as prescribed by the Accreditation Council for Graduate Medical Education (ACGME) Institutional and Program Requirements. Because of these concerns, moonlighting is, in general, discouraged for house officers in ACGME accredited programs sponsored by PAH. During residency and fellowship training, the house officer’s primary responsibility is the acquisition of knowledge, attitudes, and skills associated with the specialty in which he/she is being instructed.


Under special circumstances, a house officer may be given permission by his/her program director to engage in moonlighting. In such cases, the moonlighting workload must not interfere with the ability of the house officer to achieve the goals and objectives of his or her GME program and must not interfere with the house officer’s ability to perform his/her obligations and duties as a member of the training program. No house officer shall be compelled to moonlight under any circumstances and the house officer must **not** be required to moonlight to meet the service needs of his/her department.

**SCOPE**

This policy applies to all PAH entities and PAH sponsored GME programs. Both internal and external moonlighting by PAH sponsored house officers are covered by this policy.

**IMPLEMENTATION**

The implementation of this policy is the responsibility of the GMEC, the Office of GME, Departments Chairs and Program Directors. Each program may have its own supplemental policy on moonlighting activities, which may be more restrictive than that of PAH.

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**PROCEDURE**

**Applicable to External and Internal Moonlighting:**


To seek approval for moonlighting, a house officer must submit a written request to his/her Program Director. All programs will use the PAH moonlighting form for such requests. The Program Director will provide written approval **in advance** of the moonlighting experience. A copy of the completed form will be placed in the house officer’s file and a copy will be provided to the Office of GME and be available for GMEC monitoring.

A Program Director’s decision to approve or deny a moonlighting request will depend on one or more of a variety of factors, including but not limited to:

- Interference with the house officer’s responsibilities in the training program;
- Individual circumstances of the requesting house officer;
- Legal status of the requesting house officer;
- Total work hours involved in the moonlighting activity;
- Total work hours and compliance with the 80-hour work week policy of ACGME.

The house officer must abide by the following rules related to moonlighting:

- Submit a signed copy of the institutional “Request to Moonlight Form” to the Program Director and receive the Program Director’s written approval before moonlighting. PAH requires that the Program Director acknowledge in writing that he/she is aware that the house officer is moonlighting, and that this information is made part of the house officer’s folder.
- Obtain an unrestricted license to practice medicine in the state where the moonlighting will occur or for Type 1 Internal Moonlighting in the PAH hospital a Pennsylvania Interim License. **House officers on J-1 visas are prohibited from moonlighting.** An exchange visitor who engages in unauthorized employment shall be deemed in violation of his/her program status and is subject to termination as a participant in an exchange visitor program. With an Interim License a PGY 2 or 3 (without an unrestricted license) resident can participate in moonlighting within the department and institution. This must be moonlighting outside of the scope of their current training program and counts towards duty hours. Programs will need to provide the rationale for the moonlighting to GMEC for approval. The resident will need to complete a “Request of Moonlight Form”.
- Understand that participating in moonlighting without prior approval of his/her Program Director (as stipulated in this policy and in the house officer’s employment agreement) may be grounds for disciplinary action including dismissal from the training program.

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- Assure the Program Director that the total hours in the combined educational program and moonlighting commitments **do not exceed** the limits set by the ACGME.

**External moonlighting:**


External moonlighting is compensated clinical work that is not a part of the house officer's training program and occurs outside of PAH training programs. External moonlighting also includes such compensated clinical work that is not part of the house officer's training program and that occurs at participating educational affiliates that are not owned and operated by PAH. By way of example, moonlighting at the Veterans Administration Medical Center (VAMC), Children's Hospital of Philadelphia (CHOP) or Reading Hospital are considered external moonlighting, whereas moonlighting at the Hospital of the University of Pennsylvania (HUP), Penn Presbyterian Medical Center (PPMC) or Hospital of the University of Pennsylvania (HUP), would not be external moonlighting.

A Program Director may permit a house officer to engage in external moonlighting giving due consideration to the goals of training and education while also recognizing that the ACGME does not require regulation of external moonlighting. In this regard house officers should understand the following points related to external moonlighting:

- The moonlighting opportunity does not replace any part of the clinical experience that is integral to the house officer's training program.
- The house officer is licensed for unsupervised, independent medical practice in the state where the moonlighting will occur.
- The house officer considering moonlighting is encouraged to obtain written assurance of professional liability (including "tail" insurance), and workers' compensation coverage from the outside employer. Professional liability, general liability insurance (malpractice coverage) and workers compensation insurance are provided by PAH only for those activities that are approved components of the training program. There is NO insurance coverage provided by PAH for moonlighting activities outside of the scope of the training program.

The house officer must refrain from wearing anything identifying himself/herself as a trainee in a PAH sponsored training program when moonlighting outside of UPHS hospitals.

The house officer must agree to hold harmless and indemnify PAH and its training programs for any and all activities that occur as part of external moonlighting activities. The time spent in the moonlighting activity must not be included on PAH cost reports for Graduate Medical Education.

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**Internal moonlighting:**

PAH departments and programs that desire to allow PAH house officers to participate in internal moonlighting and similar off hours coverage activities in PAH hospitals and programs must apply annually to the GMEC for approval of the internal moonlighting activities. The application must include a written description of the functions and duties that will be performed and that are separately identifiable from and outside the scope of the training program. House officers must be qualified to perform the functions specified and privileged or otherwise appropriately approved to perform the internal moonlighting activity according to the applicable PAH hospital and medical staff bylaws, policies, rules and regulations.

The following applies to all internal moonlighting:

- Moonlighting that occurs within PAH primary clinical site(s) will be counted toward the ACGME duty hour regulations.
- The house officer shall not moonlight internally in a non-exempt position.
- The patient care site must be specified.
- A current affiliation agreement must be in effect between PAH as the sponsoring institution and the participating PAH entity site (e.g. HUP, PPMC, Clinical Care Associates), and the program must have a current program agreement with the site if the internal moonlighting activity is with a participating PAH entity.


There are two (2) types of internal moonlighting:

**Type 1:**

The compensated clinical work occurs at the specific training program or at its participating PAH hospital institutions and although it is an extension of the same type and location of clinical work performed as a requirement of the GME program, it is outside of the scope of the authorized training program and is separately identifiable.

For a house officer to participate in this type of internal moonlighting, all of the following conditions must be met:

- The house officer must be a current trainee in the program, and must be in good standing.
- The activity must meet ACGME requirements, including requirements for attending physician supervision.
- For hospital-based Type 1 internal moonlighting, the individual house officer must be qualified and privileged or otherwise appropriately approved for the moonlighting

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- activity by the applicable PAH hospital medical staff and governing body according to applicable Hospital and medical staff bylaws, policies, rules and regulations.
- The house officer must accurately report to the program director the hours worked on moonlighting activity.
  - The house officer's professional services rendered during the moonlighting activity should be documented but should not be billed for. However, the attending physician providing supervision may link with the house officer's documentation of past, family, social history, and review of systems.

**Type 2:**

The compensated clinical work occurs within the participating institution(s). This type of internal moonlighting involves clinical work performed in the house officer's area of primary training (and not in the more specialized area in which he/she is obtaining advanced training), and for which the house officer is already qualified to practice independently and meets the requirements of the applicable Hospital medical staff bylaws, policies, rules and regulations to practice as an independent member of the medical staff. Examples include the following: A fellow in Gastroenterology may perform internal moonlighting as an attending physician-level internist. A fellow in Surgery Critical Care may perform internal moonlighting as an attending physician-level general surgeon.


For a house officer to participate in Type 2 internal moonlighting, all of the following conditions must be met:

- The house officer must be a current trainee in the program, and must be in good standing.
- The activity may not be in violation of ACGME requirements.
- The house officer must have an unrestricted Pennsylvania medical license to practice independently.
- The house officer has hospital privileges as an active member of the medical staff for the internal moonlighting activities.
- The house officer has attending physician level professional liability coverage.
- For in-patient hospital-based Type 2 internal moonlighting, the individual house officer must **not** be included on the PAH cost report for the training program and must be in a non-ACGME training program.
- For outpatient and Emergency Department-based Type 2 internal moonlighting, the individual house officer **may** be included on the PAH cost report for the training program and may be in an ACGME training program. A copy of the contracts for these services should be provided to PAH, Finance Department, Hospital Reimbursement.

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- House officers may not use or forfeit paid vacation time to perform Outpatient or Emergency-Based Type 2 internal moonlighting.

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