

## **Subject: Moonlighting**

Residency training is a full time educational experience. Moonlighting must not interfere with the ability of the resident to achieve the goals and objectives of the educational program and must not interfere with the resident's fitness for work nor compromise patient safety (VI.F.5.a). As a result, residents are not required to engage in moonlighting activities as a condition for appointment to the UHC residency program, and must obtain written permission from the program director prior to any internal or external moonlighting activities. PGY 1 residents are not permitted to moonlight (VI.F.5.c).

### **PROCEDURE**

#### 1. Definition of Moonlighting:

Moonlighting is defined as any activity, outside the requirements of the residency program, in which an individual performs duties as a fully-licensed physician and receives direct financial remuneration (VI.F.5.b). This includes, but is not limited to:

- a. Providing direct patient care
- b. Conducting "wellness" physical examinations
- c. Reviewing medical charts, EKGs, or other information for a company or an agency
- d. Clinical teaching in a medical school or other educational programs involving clinical skills
- e. Providing medical opinions or testimony in court or to other agencies
- f. Serving as a sports team physician or medical official for an event

#### 2. Moonlighting privileges may be curtailed or prohibited by the Residency Program Director on any of the following grounds:

(a) If it is determined that moonlighting activities interfere with the resident's patient care responsibilities and educational performance (Residents are expected to be rested and alert during all duty hour responsibilities); or

(b) If such activity adversely impacts the professional reputation of the resident and/or UHC; or

(c) If such limitation is required by the appropriate organization(s) responsible for the accreditation/certification of graduate medical education programs; or

(d) If the resident fails to abide by the procedures outlined herein.

3. It is the responsibility of the resident to obtain and provide professional liability insurance (malpractice) coverage for all "external" moonlighting. United Hospital Center bears no legal or professional responsibility for a resident while s/he is moonlighting at an outside facility (i.e. non-UHC).

4. It is the responsibility of the resident to obtain a permanent West Virginia medical license.

5. It is the resident's responsibility to obtain a "fee-paid" DEA registration if moonlighting at a non-UHC site. The "fee-exempt" DEA registration issued to residents at UHC is only to be used within their residency programs or at UHC sites.

6. Resident moonlighting requires the following conditions be met:

a) It must be clear that such activity does not violate the rules and regulations of any federal (e.g. CMS) or state agency, or patient care regulations (e.g. HIPAA) or accrediting (e.g. Joint Commission for the Accreditation of Healthcare Organizations) organizations and/or the facility's credentialing policies and procedures;

b) The resident must possess the written approval of his/her Residency Director. This written statement of permission must be kept in the resident's file in the department. The Resident's performance in the program will be monitored for any adverse effects from moonlighting. In such instances, the Program Director may withdraw his/her permission to moonlight.

c) Moonlighting must be counted toward the 80-hour weekly limit for duty hours.

d) The Resident is responsible for reporting all moonlighting hours using the New Innovations system. Failure to report moonlighting hours will result in suspension and/or dismissal from the residency program.

e) All moonlighting activities must be monitored by the residency program director and the documentation of this activity (i.e. hours per week) must be kept in the resident's file. NOTE: THE RESIDENT MUST HAVE APPROVAL, IN WRITING, FROM HIS/HER PROGRAM DIRECTOR PRIOR TO ENGAGING IN ANY MOONLIGHTING ACTIVITIES.

8. Any resident who fails to follow the moonlighting policy of UHC and his/her program will be sanctioned for such actions including suspension and/or dismissal from the residency program.

9. A resident who is on formal academic remediation is prohibited from engaging in any

moonlighting activities during the period of remediation.

10. All moonlighting must occur after 5:00 PM on weekdays. The resident may utilize time off (vacation, etc) for moonlighting that occurs during the normal workweek.

11. Moonlighting is a privilege granted to an individual resident by the Program Director. Prior to Program Director approval of moonlighting privileges, the resident must obtain and maintain a passing score on the American Board of Family Medicine In-training Exam. Moonlighting privileges are removed following a failure on the In-training Exam.