

# Resident Moonlighting Policy

Wisconsin Northern & Central GME Consortium (WiNC)

Initial GMEC Approval:	06-09-20
Last GMEC Review Date:	

## Scope

This policy pertains to WiNC-sponsored residency/fellowship programs. The term resident/residency is used synonymously with fellow/fellowship unless otherwise specified. (GMEC approved 10/20/2022)

## Purpose

To ensure that moonlighting by residents does not interfere with a resident's ability to achieve the goals and objectives of the educational program, compromise patient safety, and/or exceed duty hour limits outlined by the Accreditation Council for Graduate Medical Education (ACGME).

## Guidelines

### Requirements

1. ACGME Definitions of Moonlighting:
  - a. "External moonlighting: Voluntary, compensated, medically-related work performed outside the institution where the resident is in training or at any of its related participating sites."
  - b. "Internal Moonlighting: Voluntary, compensated, medically-related work (not related with training requirements) performed within the institution in which the resident is in training or at any of its related participating sites." (Not all programs allow internal moonlighting – see local program policy).

Consistent with accreditation requirements, residents are not required to engage in moonlighting activities.

2. Authorization for moonlighting: Residents must have prior written approval from their Program Director before engaging in moonlighting activities.

In reviewing a request, Moonlighting will not be approved:

- a. that may interfere with a resident's ability to achieve the goals and objectives of the educational program, compromise patient safety, and/or exceed duty hours requirements
- b. for first year residents
- c. for residents with a J-1 Visa

\*Please refer to the references section for more information regarding moonlighting limitations.

For requests that are approved, the Program Director will monitor the effect of moonlighting activities on the resident's performance, patient care and duty hours, and if adversely affected, may withdraw the resident's permission to moonlight. Approval and oversight of moonlighting will be done in consultation with program faculty and chief residents.

3. Counting duty hours: All moonlighting is counted towards the 80-hour maximum weekly hour limit, averaged over a four- week period. Subject to local program policy, or at the discretion of the Program Director, residents who moonlight may be required to provide verifiable documentation of their hours spent moonlighting.

## Responsibilities

4. Residents are responsible for:

- a. Obtaining written approval from their local Program Director prior to engaging in moonlighting activities.
  - b. Ensuring that moonlighting does not adversely affect their educational responsibilities and/or performance, or compromise patient care.
  - c. Logging hours spent moonlighting as duty hours. Providing verifiable documentation of hours spent in moonlighting as required/requested by local program policy or their Program Director/designee.
  - e. Ensuring proper medical malpractice coverage while moonlighting. Malpractice coverage provided for employment as a resident does not apply to moonlighting. Private malpractice insurance is typically required for moonlighting. The resident is responsible for checking and complying with the requirements of the organization with which he/she is moonlighting.
  - f. Likewise, the resident is responsible for any costs assessed by the Wisconsin Patients Compensation Fund for moonlighting hours that exceed the designated hours in a fiscal year.
5. Program Directors are responsible for:
- a. Informing and distributing moonlighting policies to faculty and residents.
  - b. Approving or denying moonlighting requests from residents to ensure that it does not interfere with their ability to achieve the goals and objectives of the educational program, adversely affect their performance, compromise patient care, legal or ethical standards are not met, or exceed duty hour requirements, providing the resident with written documentation of the decision, and retaining a copy of this documentation in the resident's file.
  - c. Monitoring residents who moonlight to ensure that it does not interfere with their ability to achieve the goals and objectives of the educational program, adversely affect their performance, compromise patient care, legal or ethical standards are not met, or exceed duty hour requirements.
  - d. Withdrawing permission for a resident to moonlight when educational performance does not meet program expectations, patient care is compromised, legal or ethical standards are not met, and/or duty hour limits are exceeded. Written documentation of a withdrawal of permission must be given and discussed with the resident, with a copy also retained in the resident's file.

## Other Policy Guidelines

6. Local program policies: It is the responsibility of each WiNC-sponsored program to have a written policy outlining resident expectations and local processes for moonlighting that are consistent with this institutional policy and the requirements of the ACGME.

## References

Local program policies on resident moonlighting

WiNC institutional and local program policies on resident Clinical Experience and Education

ACGME website

<b>For GMEC ACGME Reference</b>
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### ACGME Institutional Requirements (2022)

IV.K.1. Moonlighting: The Sponsoring Institution must maintain a policy on moonlighting that includes the following:

IV.K.1.a) residents/fellows must not be required to engage in moonlighting; <sup>(Core)</sup>

IV.K.1.b) residents/fellows must have written permission from their program director to moonlight; <sup>(Core)</sup>

IV.K.1.c) an ACGME-accredited program will monitor the effect of moonlighting activities on a resident's/fellow's

performance in the program, including that adverse effects may lead to withdrawal of permission to moonlight;  
and, <sup>(Core)</sup>

IV.K.1.d) the Sponsoring Institution or individual ACGME-accredited programs may prohibit moonlighting by  
residents/fellows. <sup>(Core)</sup>

**Excerpt from ECFMG Website regarding Moonlighting (as of 07/25/17):**

DoS Statement of Policy (1999) ...a foreign medical graduate is not authorized to "moonlight" and is without work authorization to do so. A foreign medical graduate may receive compensation from the medical training facility for work activities that are an integral part of his or her residency program. The foreign medical graduate is not authorized to work at other medical facilities or emergency rooms at night or on weekends. Such outside employment is a violation of the foreign medical graduate's program status and would subject the foreign medical graduate to termination of his or her program. Detailed information on this subject is available at [www.ecfmg.org/evsp/evspemot.pdf](http://www.ecfmg.org/evsp/evspemot.pdf).