



Moonlighting and Other Professional Activities Outside the Scope of Residency and Fellowship Training

gme-adm-0013

About This Policy

Effective Dates:

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Responsible University Administrator:

Senior Associate Dean for GME

Policy Contact:

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Scope

This policy applies to all Indiana University School of Medicine (IUSM) Graduate Medical Education (GME) resident and fellow physicians.

Policy Statement

Moonlighting is defined as any professional activity conducted or arranged by an individual resident or fellow which is outside the course and scope of the approved residency or fellowship program, whether or not the resident or fellow receives additional compensation. Historically, the use of the descriptors “internal” and “external” would not alter the fact that both are moonlighting and are beyond the course and scope of the approved residency or fellowship program.

PGY-1 residents are not permitted to moonlight.

Moonlighting should not interfere with the ability of the resident to achieve the goals and objectives of the educational program. Participation in moonlighting needs to be a decision made between a trainee and program director. Moonlighting should not interfere with safe patient care and should not prevent sufficient rest and preparation for the residency and fellowship educational requirements. This includes any moonlighting done during paid time off, which is intended to provide residents and fellows with a necessary break from workplace activity. All moonlighting requests and disclosures will be closely monitored by the program directors and the GME Office. Residents must not be required to engage in moonlighting for the program or the department.

Residents and fellows are permitted to moonlight in the following settings:

- In an outpatient department or emergency room of a hospital where the resident is in a training program.
- Outside the institution of the resident’s training program.

Fellows may moonlight on inpatient services where the fellows is enrolled in a training program in their primary specialty for which they are board-eligible or board-certified.

All professional fee billing by residents and fellows must comply with the CMS requirements regarding Services for Moonlighting Residents.

Reason For Policy

The purpose of this policy is to define moonlighting and policies governing moonlighting and other professional activities during a GME training program.

Procedure

Clinical and Educational Work Hours

When monitoring the moonlighting activities, the program directors will consider the ACGME work hour regulations which limit the residents and fellows to 80 hours per week. All moonlighting must be reported and counts toward the 80-hour average. All time spent moonlighting must be entered in MedHub with the other work hours.

Program Policy Required

All residency and fellowship training programs must have a written policy that addresses professional activities outside the educational program to include moonlighting. The policy must specify that residents will not be required to engage in moonlighting.

State Licensure Requirements

All residents or fellows engaged in moonlighting must be licensed for unsupervised medical practice in the State of Indiana and must have their own DEA registration number and Indiana CSR. It is the responsibility of the hiring institution and the program director to determine whether the resident or fellow has the appropriate training and skills to carry out the proposed duties. It is the shared responsibility of the hiring institution, the program director, and the Office of GME to verify that the resident or fellow is complying with the expectations of the moonlighting policy.

Medical Malpractice Coverage

It is the responsibility of the resident or fellow to demonstrate with documentation by individual name the appropriate medical malpractice coverage. Proof of coverage must accompany the MedHub Moonlighting Request.

The requirement for specific certification of malpractice coverage in the name of the resident or fellow must be obtained for all moonlighting. This requirement also pertains to moonlighting taking place at IUSM affiliated hospitals including Indiana University Health Methodist, IU, and Riley Children's Hospitals, Eskenazi Health, Roudebush VAMC, Indiana University Health West Hospital, and Indiana University Health North Hospital.

Indemnification

Indiana University Residency and Fellowship Insurers will have no responsibility for acts or omissions occurring outside the jurisdiction of the hospitals or the training program assignments. This includes resident or fellow engagement in employment outside the training program, Indiana University, the Schools of Medicine or Dentistry, any of the affiliated hospitals.

Documentation

The program director must be fully informed about any moonlighting activity by the resident or fellow. This includes any moonlighting activity planned for time considered paid time off from duties. Moonlighting activities and schedules must be submitted in writing, in advance, to the program director. The MedHub Moonlighting Request must be used. Program-specific forms may supplement yet not replace the Moonlighting Request. The program director must acknowledge awareness that the resident or fellow is moonlighting by reviewing and approving the Moonlighting Request in MedHub. The program director may at any time determine whether or not the activity is detrimental to the resident's or fellow's progress or standing in the training program. These

procedures apply to all moonlighting activities regardless of whether or not the trainee is being paid for the activity.

GME Office

If a resident is planning on engaging in moonlighting activity, a Moonlighting Request in MedHub must be submitted to the GME Office, in advance of moonlighting. Proof of medical malpractice coverage must be submitted with the form.

Repercussions for Noncompliance

Residents and fellows engaging in moonlighting activities that have not been approved by the program director risk dismissal from the program. If it comes to the program director's attention that a moonlighting schedule coincides with the training program assignments, the resident or fellow may be subject to disciplinary action, up to, and including termination. If it is determined that the moonlighting activity is interfering with training, the program director may require the resident or fellow to reduce or terminate the moonlighting activity.

Resident Responsibilities

- A. Complete the Moonlighting Request in MedHub for each moonlighting location and submit the form(s) annually to the program director.
- B. Complete a new Moonlighting Request prior to any change in moonlighting status.
- C. Provide documentation of an unrestricted Indiana permanent license, DEA registration number and Indiana CSR.
- D. Provide documentation of specific medical malpractice coverage in the name of the resident to all of the following: the hiring institution, the program director, and Office of GME. All moonlighting requires this documentation.
- E. All moonlighting hours must also be documented in MedHub on a daily, every-other-day, or weekly basis, by the resident.

Visa Issues

H-1B Visas:

Residents or fellows on H-1B visas may accept moonlighting employment, if approved by the program director, and only if the employer of the moonlighting employment obtains approval for the concurrent employment from the INS by filing a new H-1B petition for concurrent employment for the resident or fellow. The Moonlighting Request in MedHub and documentation are required as above.

J-1 Visas:

Residents or fellows on J-1 visas may not engage in moonlighting in the United States. The J-1 visa only grants permission for the residents to undergo medical training, not moonlighting, in the United States.

Definitions

ACGME is the Accreditation Council for Graduate Medical Education.

This policy has differentiation for residents and fellows. A resident or fellow is an IUSM resident or fellow, or a non-IUSM resident or fellow electively rotating through IUSM and provides clinical care as part of a GME program.

CMS is the Centers for Medicare and Medicaid Services.

Implementation

The Designated Institutional Official (DIO) for GME is responsible for implementation of this policy.

Oversight

Policy authority for this document resides with the Graduate Medical Education Committee. The DIO and the Graduate Medical Education Committee are responsible for oversight. This policy will be reviewed every three years or more often if deemed necessary.

History

1. Policy gme-adm-0013 approved by GMEC and published on 13 July 2016.
2. Policy reviewed, updated, and approved by GMEC on 13 July 2016.
3. Policy updated for formatting 02 March 2018.
4. Policy updated for formatting 27 June 2018.
5. Policy reviewed, updated, and approved by GMEC on 19 January 2019.
6. Policy revised May 2021.
7. Policy approved by GMEC 16 June 2021.