PURPOSE

To establish the protocol and standards by which to ensure the quality and safety of patient care, the quality of trainees’ educational experience, and that trainees get adequate rest. Residency training is a full time educational experience, and the special nature of residency training requires extensive clinical activity and availability to patients at times other than the regular working day. Extramural paid activities (moonlighting) must not interfere with the resident’s educational performance, clinical responsibilities and/or rest periods.

SCOPE

This policy applies to all UCLA-sponsored ACGME and non-ACGME accredited residency and fellowship programs in all clinical learning environments.

DEFINITIONS

ACGME: Accreditation Council for Graduate Medical Education.

Approved GME Program or Approved Training Program: Approved programs include those residency and fellowship training programs approved by the ACGME, or the American Board of Medical Specialties (ABMS).

Coverage: Coverage is defined as being those situations in which a resident is asked to work within his/her own program to fill a shift for an absent resident or open position. Compensation for coverage is at the discretion of the department and may not be considered salary.

Duty Hours: Duty hours are defined as all clinical and academic activities related to the program; i.e., patient care (both inpatient and outpatient), administrative duties relative to patient care, the provision for transfer of patient care, time spent on in-house call, and other scheduled activities, such as conferences. Duty hours do not include reading and preparation time spent away from the duty site. (ACGME Definition)
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. (ACGME Definition)

Internal Moonlighting: Voluntary, compensated, medically-related work (not related with training requirements) performed within the institution/training site in which the resident is in training or at any of its related participating sites (UCLA GME Definition)

Moonlighting: Any circumstance of working, including clinical or non-clinical activities, outside of the Trainee’s Approved Training Program, regardless of whether at an External or Internal Moonlighting site. (ACGME Definition)

Professional Fee Billing: Billing for a physician’s clinical services to patients under the Medicare Physician Fee Schedule. (ACGME Definition)

Trainee: Residents, Chief Residents and Fellows participating in Approved Training Programs and Senior Fellows and Senior Fellow Trainees who are participating in non-accredited training programs and who do not hold a concurrent clinical instructor or other faculty title. (ACGME Definition)

POLICY
NOTE: This policy does not apply when a resident is asked to work within his/her own program to fill a shift for an absent resident or open position. This scenario would be defined as coverage. Compensation for coverage is at the discretion of the department and may not be considered salary.

I. Eligibility:
   a. Only residents who are licensed to practice medicine in the State of California are permitted to moonlight.
   b. Residents must not be required to engage in moonlighting
   c. All trainees must comply with the rules of the Department to which they are assigned and will also comply with any applicable ACGME, State or Federal regulations setting limitations on work hours. All trainees are required to accurately record their work hours.
   d. It is the responsibility of the resident/fellow to notify the program director if they wish to moonlight.
   e. Residents who are on any type of administrative leave will not be approved for or permitted to moonlight and prior permission to moonlight will be suspended during any period of leave.
f. Most residents employed on a J-1, H-1B or O-1 visa are ineligible to moonlight or have further restrictions imposed by the Immigration and Naturalization Service (INS) and must abide by their policies.

II. Work Hours:
   a. All moonlighting hours must be counted toward the 80-hour weekly limit on duty hours.
   b. Residents are responsible for ensuring that the addition of moonlighting hours does not result in a work week in excess of the 80-hour maximum, or result in fatigue which might affect patient care or learning.
   c. Residents must have at least ten (10) hours respite time between the end of the moonlighting hours and the start of duty hours of his/her residency that involve patient care.

III. Program Director Responsibilities:
   a. The program director must provide a written statement of permission, which shall be maintained in the resident’s personnel file.
   b. The program director will acknowledge in writing that s/he is aware that the resident is moonlighting. This written acknowledgment shall be maintained in the resident’s personnel file.
   c. The program director will monitor resident performance to ensure that moonlighting activities are not adversely affecting patient care or learning. If the program director determines that the resident performance is deficient, the permission to moonlight will be revoked and/or disciplinary actions will be taken.
   d. The program director may require detailed information on the timing and level of activity in order to ensure moonlighting does not cause fatigue or interfere with patient care and resident education.

IV. Additional Regulations Regarding INTERNAL MOONLIGHTING. In addition to all of the policy regulations listed for External Moonlighting, Internal Moonlighting requires the following:
   a. Internal moonlighting may only occur within the scope of practice in which any licensed physician, board eligible physician or board certified physician would be eligible to practice (whichever is most appropriate).
   b. Trainees may not function in the clinical specialty in which they are training.

PROCEDURE

I. Resident and Clinical Fellow Moonlighting Approval Form must be completed and submitted to the Program Director for approval.

II. Moonlighting Approval must be renewed annually.
III. The Program Director must be informed of any activity changes in Moonlighting, including hours, location, type of activity, and supervisor. The Program Director must approve any said changes in writing.

IV. Moonlighting requests will not be approved retrospectively.

V. INTERNAL MOONLIGHTING: The Non-Educational Program Leader must submit Internal Moonlighting Request form to the DIO for approval.

VI. Any trainee engaged in internal moonlighting must have hospital privileges for the clinical activities being performed.

FORMS

Resident and Fellow Moonlighting Approval Form
Program Director Internal Moonlighting Request Form

REFERENCES

ACGME REQUIREMENTS (Common Program Requirements VI.G.2.):

- Moonlighting must not interfere with the ability of the resident to achieve the goals and objectives of the educational program (VI.G.2.a.) (Core).
- Time spent by residents in Internal and External Moonlighting (as defined in the ACGME Glossary of Terms) must be counted towards the 80-hour Maximum Weekly Hour Limit. (VI.G.2.b) (Core).
- PGY-1 residents are not permitted to moonlight (VI.G.2.c) (Core).

CONTACT

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APPROVAL

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