

POLICY: Moonlighting Policy

Purpose: UCSF Fresno supports each of our residents and fellows in achieving the goals and objectives of their training program, which is to produce in the broadest sense, the fully competent physician capable of providing high quality care to their patients. Without compromising this goal, it may be feasible for trainees to seek outside professional activities – “moonlighting” – if they adhere to the guidelines within this policy and the UCSF Fresno Clinical Experience and Educational Work Hours Policy (formerly Duty Hours Policy).

Policy: Trainees are responsible for ensuring moonlighting and other outside activities do not result in fatigue or other adverse effects that might compromise patient care or learning. Trainees are responsible for complying with their Program Clinical Experience and Educational Work Hours Policy which must be consistent with the UCSF Fresno Clinical Experience and Educational Work Hours Policy. Moonlighting is not required.

All UCSF Fresno residency and fellowship programs must have a policy regarding moonlighting. The program policy must state whether moonlighting is allowed (both internal and external to UCSF Fresno). The policy must describe the requirements and process for pre-approval, monitoring and periodic review. Programs will monitor the effect of moonlighting activities on each resident's or fellow's performance in the program and adverse effects may lead to withdrawal of permission to moonlight. The policy may be more restrictive but may not be less restrictive than the UCSF Fresno Clinical Experience and Educational Work Hours and Moonlighting policies. The program must demonstrate ongoing compliance with clinical and educational work hours.

It is the responsibility of the trainee to obtain written permission to moonlight from the program director prior to beginning the moonlighting activity. This is true both for internal and external moonlighting (see definitions below). An approval template form is included within this policy. This template outlines minimum requirements, but the program may elect to require more information. Moonlighting must not interfere with the ability of the trainee to achieve the goals and objectives of the educational program and must not interfere with the trainee's fitness for work nor compromise patient safety. The program director will monitor the trainee's performance in the program to ensure moonlighting activities are not adversely affecting patient care, learning, or trainee fatigue or general well-being. If the program determines the trainee's performance does not meet expectations, permission to moonlight will be withdrawn.

Time spent by trainees in internal and external Moonlighting ([as defined by the ACGME](#) and noted below) must be counted towards the 80-hour maximum weekly limit.

Moonlighting while on Family Medical Leave is not allowed and may lead to termination of leave.

Moonlighting is a privilege and is at the discretion of the program director. The program director can deny any moonlighting request for any reason. Any trainee moonlighting without written pre-approval from their program director (ACGME requirement) will be subject to disciplinary action.

RESIDENTS AND FELLOWS WHO ARE NOT PERMITTED TO MOONLIGHT:

- 1st year residents and/or 1st year fellows are not permitted to moonlight (Fellows in 1-year fellowship programs may be permitted to moonlight in their primary specialty provided all policy requirements are met.)
- Residents with a training license are not allowed to moonlight externally (internal moonlighting is permitted with program director approval).
- Trainees sponsored by ECFMG for J-1 status (or other visa status) are not permitted to moonlight. They may engage in and receive compensation for *only* those activities that are part of the training program for which ECFMG sponsorship was approved. ECFMG J-1 visa

sponsorship authorizes a specific training activity, location, and associated financial compensation. Federal regulations do not permit any additional activity or compensation outside of the defined parameters of the approved program. Unauthorized employment, or “moonlighting” is prohibited (<https://www.ecfmq.org/evsp/evspemot.pdf>).

ACGME Definitions:

Moonlighting:

Voluntary, compensated, medically related work performed beyond a resident's or fellow's clinical experience and education hours and additional to the work required for successful completion of the program.

External moonlighting:

Voluntary, compensated, medically related work performed outside the site of the resident's or fellow's program, including the primary clinical site and any participating sites.

Internal moonlighting:

Voluntary, compensated, medically related work performed within the site of the resident's or fellow's program, including the primary clinical site and any participating sites.

Internal Moonlighting This activity must be supervised by faculty at the same level as they are when engaging in the required clinical activities of the program and must not exceed the graduated responsibilities and competencies currently approved for the trainee. While performing internal moonlighting services, trainees are not to perform as independent practitioners. Internal moonlighting hours must be documented in MedHub, and they must comply with the UCSF Fresno Clinical Experience and Educational Work Hours Policy and the individual program's policy.

Internal moonlighting cannot occur while the trainee is on sick, family, or other personal leave. Internal moonlighting is permitted while a resident or fellow is on vacation though it must be that person's choice and trainees must not be pressured to moonlight while on vacation. Moonlighting hours cannot be entered into MedHub while on vacation, so it is the program's responsibility to monitor compliance with the clinical work hours policy.

External Moonlighting External moonlighting hours must be documented (including days, hours, location, and brief description of type of service(s) provided) to comply with Medicare reimbursement requirements for GME. For external moonlighting trainees are not covered under the University's professional liability insurance program as the activity is outside the scope of University employment. Trainees are responsible for their own professional liability coverage (either independently or through the entity for which the trainee is moonlighting), DEA licensure, Medicare (or other governmental) provider number and billing training, and licensure requirements by the California Medical Board, and all other requirements for clinical privileging at the employment site.

UCSF Fresno requires ALL moonlighting hours to be documented in MedHub.

**UCSF FRESNO
RESIDENT AND FELLOW MOONLIGHTING AGREEMENT**

**INTERNAL MOONLIGHTING
Paid via UCSF Payroll**

(This form must be renewed each academic year)

All moonlighting hours must be entered into MedHub.

I, _____, hereby request permission from the

(Program), and _____
(Program Director) to be able to “moonlight” at _____ (facility),
in the capacity of **resident / fellow** at the time rate of _____ hours per week.

I understand the ACGME Common Program Requirements state: “Moonlighting must not interfere with the ability of the resident or fellow to achieve the goals and objectives of the educational program and must not interfere with the resident’s or fellow’s fitness for work nor compromise patient safety.” Time spent by residents and fellows in internal and external Moonlighting (as defined by the ACGME as noted within this policy) must be counted towards the 80-hour maximum weekly limit and must be logged into the MedHub Work Hours. Performance in my training program will be monitored closely for the effect of these activities and adverse effects may lead to withdrawal of this permission.

RESIDENTS AND FELLOWS WHO ARE NOT PERMITTED TO MOONLIGHT:

- 1st year residents and/or 1st year fellows are not permitted to moonlight. (Fellows in 1-year fellowship programs may be permitted to moonlight in their primary specialty in which they are board eligible or certified provided all policy requirements are met.)
- Residents and fellows sponsored by ECFMG for J-1 status or other visa status are not permitted to moonlight.

Further, I understand that my training/education is a full-time endeavor and I must ensure that moonlighting does not interfere with my ability to achieve the goals and objectives of my training program. Moonlighting is a privilege and is at the discretion of the program director. The program director can deny any moonlighting request for any reason.

The above stated resident or fellow shall be engaged to provide professional services at UCSF Fresno affiliated facilities as described below. This agreement is in compliance with the UCSF Fresno GME Policies and Procedures.

1. Describe Moonlighting Service:

2. List Moonlighting Site:

3. TERMS OF AGREEMENT:
The period of services provided for this Agreement shall be for Academic Year dated July 1, 20____ through June 30, 20____. The average shifts per month will be _____. Either party may terminate this agreement by giving the other thirty days' written notice.
4. COMPENSATION AND REIMBURSEMENT OF EXPENSES (Internal Moonlighting only):
- A. Fee of \$_____ per hour.
 - B. Fixed Salary @ \$_____ per month.
 - C. Per Service Compensation: \$_____ per shift
(on call, per clinic, per surgery, etc.)
 - D. Other Expenses (Specify) \$_____
5. LICENSE:
Date Licensed in California: ____/____/____

REQUIRED SIGNATURES AND APPROVALS:

The resident or fellow and program director understand that malpractice coverage for moonlighting will only be effective after Dean's office approval. Moonlighting activity MAY NOT begin prior to that date.

Resident or Fellow Signature

Date

Program Director Signature (Home Program)

Date

Assistant Dean and DIO Signature

Date

cc: Trainee
Trainee's Home Program
Director, Graduate Medical Education
GME Personnel Manager, Graduate Medical Education

This form must be sent to the GME Office to receive pay for services. Please keep a copy of the completed form within the house staff's academic training file.

UCSF FRESNO

RESIDENT and FELLOW MOONLIGHTING AGREEMENT

EXTERNAL MOONLIGHTING
Not paid via UCSF Payroll

(This form must be renewed each academic year)

All moonlighting hours must be entered into MedHub.

I, _____, hereby request permission from the
_____ (Program), and _____ (Program
Director) to be able to “moonlight” at _____ (facility), in the
capacity of **resident / fellow** at the time rate of _____ hours per week. The period of services provided
for this Agreement shall be for Academic Year dated July 1, 20____ through June 30, 20____. The average
shifts per month will be _____. Either party may terminate this agreement by giving the other thirty days’
written notice.

I understand the ACGME Common Program Requirements state: “Moonlighting must not interfere with the ability of the resident or fellow to achieve the goals and objectives of the educational program and must not interfere with the resident’s or fellow’s fitness for work nor compromise patient safety.” Time spent by residents and fellows in internal and external Moonlighting (as defined by the ACGME as noted within this policy) must be counted towards the 80-hour maximum weekly limit and must be logged into the MedHub Work Hours. Performance in my training program will be monitored closely for the effect of these activities and adverse effects may lead to withdrawal of this permission.

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- 1st year residents and/or 1st year fellows are not permitted to moonlight. (Fellows in 1-year fellowship programs may be permitted to moonlight in their primary specialty in which they are board eligible or certified provided all policy requirements are met.)
- Residents with a training license are not permitted to moonlight externally (internal is ok with program director approval)
- Physicians/House staff sponsored by ECFMG for J-1 status or other visa status are not permitted to moonlight.

Further, I understand that my training/education is a full-time endeavor and I must ensure that moonlighting does not interfere with my ability to achieve the goals and objectives of my training program. Moonlighting is a privilege and is at the discretion of the program director. The program director can deny any moonlighting request for any reason.

Lastly, I understand that **UCSF Fresno DOES NOT provide malpractice** coverage for me for external moonlighting. Please be sure you have adequate malpractice coverage for this moonlighting service.

Resident or Fellow Signature

Date

Program Director Signature (Home Program)

Date

Assistant Dean and DIO Signature

Date

cc: Trainee
 Trainee's Home Program
 Director, Graduate Medical Education
 GME Personnel Manager, Graduate Medical Education

This form must be sent to the GME Office. Please keep a copy of the completed form within the house staff's academic training file.