

## **POLICY: Moonlighting Policy**

**Purpose:** UCSF Fresno believes that each house staff is to achieve 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 his/her patients. Without compromising the goal, it may be feasible for some house staff to seek outside professional activities – “moonlight” – 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:** House staff are responsible for ensuring moonlighting and other outside activities do not result in fatigue that might affect patient care or learning. House staff are responsible for complying with their Program Clinical and Educational Work Hours Policy which must be consistent with the UCSF Fresno Clinical Experience and Educational Work Hours Policy.

All UCSF Fresno Medical Education training 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 contain a method for written pre-approval, monitoring and periodic review. The policy may be more restrictive but may not be less restrictive than the UCSF Fresno Clinical Experience and Educational Work Hours Policy. Each program’s moonlighting policy must be approved by the sub-committee to the GMEC for Clinical Experience and Educational Work. The program must demonstrate ongoing compliance with clinical and educational work hours as a prerequisite for individual program policy approval.

It is the responsibility of the house staff 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 indicates minimum information but the program may elect to require more information. Moonlighting must not interfere with the ability of the house staff to achieve the goals and objectives of the educational program, and must not interfere with the house staff’s fitness for work nor compromise patient safety. The program director will monitor house staff’s performance in the program to ensure moonlighting activities are not adversely affecting patient care, learning, or house staff fatigue. If the program determines the house staff’s performance does not meet expectations, permission to moonlight will be withdrawn. Monitoring information will be reviewed periodically by the Clinical Experience and Educational Work Subcommittee and reported to the GMEC.

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

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 house staff moonlighting without written pre-approval from their program director (ACGME requirement) will be subject to disciplinary action.

### **HOUSE STAFF WHO ARE NOT PERMITTED TO MOONLIGHT:**

- 1<sup>st</sup> year residents and/or 1<sup>st</sup> year fellows are not permitted to moonlight.
- Residents with a training license are not allowed to moonlight externally (internal moonlighting is permitted with program director approval)
- Physicians/House staff sponsored by ECFMG for J-1 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.ecfm.org/evsp/evspemot.pdf>).

## Definitions:

**Internal Moonlighting** is defined as extra work for extra pay performed at a site that participates in the house staff's training program. This activity must be supervised by faculty and is not to exceed the level of clinical activity currently approved for the trainee. While performing internal moonlighting services, house staff 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's training program policy. **UCSF Fresno requires ALL moonlighting hours be documented in MedHub.**

**External Moonlighting** is defined as work for pay performed at a site that does not participate in the house staff's training program. External moonlighting hours must be documented (including days, hours, location, and brief description of type of service(s) provided) in order to comply with Medicare reimbursement requirements for GME. **UCSF Fresno requires ALL moonlighting hours be documented in MedHub.** For external moonlighting and some internal moonlighting, house staff are not covered under the University's professional liability insurance program as the activity is outside the scope of University employment. House staff are responsible for his/her 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 any other requirements for clinical privileging at the employment site.

*(Original signed Policy is available in the UCSF Fresno Graduate Medical Education Office)*

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Michael Peterson, M.D., Associate Dean, Co-Chair GMEC

**UCSF FRESNO MEP  
HOUSE STAFF MOONLIGHTING AGREEMENT**

**INTERNAL MOONLIGHTING  
Paid via UCSF Payroll**

(This form must be renewed each academic year)

**All moonlighting hours must be entered/logged 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 house staff to achieve the goals and objectives of the educational program, and must not interfere with the house staff’s fitness for work nor compromise patient safety. Time spent by house staff in internal and external Moonlighting (as defined by the ACGME and 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.”

**HOUSE STAFF WHO ARE NOT PERMITTED TO MOONLIGHT:**

- 1<sup>st</sup> year residents and/or 1<sup>st</sup> year fellows are not permitted to moonlight.
- Physicians/House staff sponsored by ECFMG for J-1 status are not permitted to moonlight.

Further, I understand that my training/education is a full-time endeavor and my Program Director 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 "House Staff" 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 house staff and Program Director (of moonlighting department) understand that malpractice coverage for moonlighting will only be effective after Dean's office approval. Moonlighting activity MAY NOT begin prior to that date.**

\_\_\_\_\_  
House staff's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Program Director's Signature (Home Program)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Associate Dean's Signature

\_\_\_\_\_  
Date

cc: House staff  
House staff's Home Program  
Director, Graduate Medical Education  
HR Analyst, Graduate Medical Education

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

**UCSF FRESNO MEP  
HOUSE STAFF MOONLIGHTING AGREEMENT**

**INTERNAL OR EXTERNAL MOONLIGHTING  
Not paid via UCSF Payroll**

(This form must be renewed each academic year)

**All moonlighting hours must be entered/logged 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 house staff to achieve the goals and objectives of the educational program, and must not interfere with the house staff’s fitness for work nor compromise patient safety. Time spent by house staff 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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Further, I understand that my training/education is a full-time endeavor and my Program Director 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.

\_\_\_\_\_  
House staff’s Signature

\_\_\_\_\_  
Program Director’s Signature (Home Program)

\_\_\_\_\_  
Date

**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.**