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## **NSU KPCOM GME** **POLICY ON MOONLIGHTING**

### **PURPOSE:**

This policy addresses Accreditation Council for Graduate Medical Education (ACGME) *Institutional Requirement IV.K.1. Moonlighting*:

*The Sponsoring Institution must maintain a policy on moonlighting that includes the following:*

*IV.K.1.a) a residents/fellow must not be required to engage in moonlighting*

*IV.K.1.b) residents/fellows must have written permission from their program director to Moonlight*

*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*

*IV.K.1.d) the Sponsoring Institution or individual ACGME-accredited programs may prohibit moonlighting by residents/fellows.*

### **DEFINITIONS:**

See the *NSU Graduate Medical Education Glossary of Terms* dated April 1, 2021; the *ACGME Glossary of Terms* dated April 15, 2020; as well as the *Common Acronyms/Abbreviations Used in Graduate Medical Education* last updated April 4, 2019.

### **BACKGROUND:**

The ACGME Common Program Requirements state that, "moonlighting must not interfere with the ability of the resident to achieve the goals and objectives of the education program."

### **POLICY:**

#### **Eligibility**

PGY1 and PGY2 residents are not eligible to moonlight. Limited moonlighting may be allowed for trainees in the PGY3 year or beyond, solely at the discretion of the Program Director and must be approved by the Office of GME.

The resident must be in good standing, in order to be approved for moonlighting. Residents on remediation, probation, personalized improvement plans, or suspension for clinical or academic reasons are not eligible for moonlighting.

A program may prohibit moonlighting activities by all of its residents as a matter of policy.

**Licensure**

All residents engaged in moonlighting must be licensed for unsupervised medical practice in the state where the moonlighting occurs. The resident must also have a valid individual DEA registration and any local or state registrations required. The cost of this licensure is not reimbursable.

A copy of this license must be provided to the Program Director and the office of GME prior to the initiation of any moonlighting activity.

**Supervision**

NSU and program teaching faculty have no role in the supervision of the professional activities of residents engaged in moonlighting.

**Professional Liability Insurance**

All residents engaged in moonlighting must provide their Program Director and the Office of GME a copy of their independent malpractice coverage prior to the initiation of any moonlighting activity. The cost of the resident's independent malpractice coverage is not reimbursable.

The malpractice protection provided for the professional duties of the training program does not cover moonlighting activities.

It is the responsibility of the entity hiring the resident to moonlight to determine whether their licensure is in place, adequate liability coverage is provided, and whether the resident has the appropriate training and skills to carry out assigned duties.

**Educational and Clinical Work Hours**

Moonlighting hours must be counted toward the 80-hour weekly limit on educational and clinical work hours. Because moonlighting assignments generally run concurrently with the routine obligations and responsibilities of the residents to the program, the Program may limit the number of hours that can be spent moonlighting in a given month. Limits will be documented on the Moonlighting Request form prior to the initiation of any moonlighting activity.

**Fatigue Mitigation**

Moonlighting residents are expected to be present, appropriately rested and prepared to carry out their obligations to their educational programs.

**Monitoring**

Moonlighting must not interfere with the resident's ability to provide patient care.

Moonlighting must never interfere with a resident's primary responsibilities to their program. It should not interfere with the resident's ability to participate in the educational opportunities of the training program and with the ability of the trainee to achieve the goals and objectives of the educational program.

**PROCEDURE:****Approval**

Moonlighting permission must be specifically requested in writing from the Program Director and the DIO using the Moonlighting Request form.

Only Moonlighting Request forms with all required paperwork, including but not limited to, proof of medical practice will be reviewed by the program director.

The request for moonlighting must indicate the number of hours the resident will be working in the moonlighting job.

Residents may not start moonlighting prior to receiving program director approval. The Moonlighting Request form must be included as part of the institution's trainee file.

### **Loss of Moonlighting Privileges**

Moonlighting may be disallowed if any adverse effects are documented. If a resident experiences educational difficulty or excessive fatigue, the Program Director at their discretion may suspend moonlighting privileges (see NSU Employee Policy Manual – Outside Employment).

A letter will be submitted by the Program Director to the trainee and the Office of GME stating that the resident is no longer permitted to moonlight.

### **Clinical and Educational Work Hours Monitoring**

Clinical and Educational Work Hours compliance must be documented in and reviewed by the resident with the Program Director on a monthly basis.

Failure to accurately document moonlighting hours will result in the suspension of moonlighting privileges.

### **RELATED GME POLICIES:**

- Clinical and Educational Work Hours
- Fatigue Mitigation

### **For related NSU policies, see:**

- NSU Employee Policy Manual – Outside Employment - found at: [nova.edu/portal/hr/policies/outside-employment.html](http://nova.edu/portal/hr/policies/outside-employment.html) (must log in to NSU employee portal to access)
- NSU Employee Policy Manual – Conflict of Interest – Declaration & Disclosure Policy - found at: [nova.edu/portal/hr/policies/conflict-of-interest.html](http://nova.edu/portal/hr/policies/conflict-of-interest.html) (must log in to NSU employee portal to access)

*Initial Approval by GMEC on July 7, 2017*

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