

Moonlighting – Exhibit B

Responsible Party	GMEC	Last Revised	03/2023
Origination	03/2001	Last Approved/Effective	03/2023

Purpose

To describe the policy and procedures for moonlighting by resident physicians and fellows who are training in ECU Health Medical Center graduate medical education programs.

ACGME Requirements

Maintaining ACGME accreditation of ECU Health Medical Center residency and fellowship physician training programs is paramount. The following ACGME Common Program Requirements (effective July 1, 2022) establish the accreditation compliance conditions for any GME moonlighting activity at ECU Health Medical Center.

VI.F.5.a) Moonlighting must not interfere with the ability of the resident 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.

VI.F.5.b) Time spent by residents in internal and external moonlighting (as defined in the ACGME Glossary of Terms) must be counted toward the 80-hour maximum weekly limit.

VI.F.5.c) PGY-1 residents are not permitted to moonlight.

Definitions

a. External Moonlighting

Voluntary, compensated, medically-related work performed by ECU Health Medical Center resident physicians and fellows outside of ECU Health Medical Center or any participating site in which they train.

b. Internal Moonlighting – As a Board-Prepared or Board-Certified Attending Physician

Voluntary, compensated, medically-related work performed by ECU Health Medical Center fellows within ECU Health Medical Center but on a specialty service separate and distinct from the one on which they receive fellowship training. Fellows participating in this type of internal moonlighting are fully-credentialed and fully-privileged by the ECU Health Medical Center Medical Staff as board-prepared or

board-certified attending physicians. Fellows doing internal moonlighting under this section have supervision and oversight consistent with (a) the ECU Health Medical Center Policy on Professional Practice Evaluation or (b) ECU Health Physicians policies regarding clinical oversight by practice site leaders.

c. Internal Moonlighting – As a Resident Physician or Fellow Doing “Extra Shifts for Extra Pay”

Voluntary, compensated, medically-related work performed by ECU Health Medical Center resident physicians or fellows within ECU Health Medical Center in the same clinical environments and on the same specialty services, including ECU Health Physicians clinics, on which they receive their residency or fellowship training. In essence, these resident physicians and fellows are doing the same clinical training duties with the same supervision in an "extra shifts for extra pay" format.

Policy

- a. Resident physicians and fellows can never be required to moonlight.
- b. Resident physicians in their R-2 year or later and fellows are permitted to moonlight if they have written permission from their program director, are in good standing, and have no active remediation letters.
- c. Resident physicians and fellows must notify their program director in writing of any changes in the nature and extent of moonlighting. All documentation related to moonlighting activity must be part of a resident or fellow's training file.
- d. Moonlighting permission may be revoked at any time by the Program Director or the Designated Institutional Official.
- e. Per federal law, holders of J-1 visas are not permitted to participate in any internal or external moonlighting activities.
- f. All programs must have moonlighting policies consistent with their program's ACGME Requirements and this policy. Programs may stipulate in their moonlighting policy stricter rules than those in this policy.
- g. Moonlighting that is unauthorized, creates a conflict of interest, results in impaired performance, absenteeism or tardiness or is performed during scheduled Program hours will subject the resident physician or fellow to disciplinary action up to and including dismissal.
- h. Resident physicians and fellows shall be made aware of this policy and agree to abide by it as a condition of employment.
- i. Hours spent moonlighting must be documented by the resident physician or fellow and the program and must be counted toward the ACGME clinical and educational work hour requirements. As part of any moonlighting, the resident physician and fellow must be in compliance with all of the Clinical and

Educational Work requirements in section VI.F. of the ACGME Common Program Requirements, including maximum hours of clinical and educational work per week, mandatory time free of clinical work and education, maximum clinical work and education period length, and maximum in-house on-call frequency.

Procedure – External Moonlighting

- a. Resident physicians and fellows engaging in moonlighting outside training sites must hold an unrestricted medical license and must have appropriate medical liability insurance independent of that provided to ECU Health Medical Center resident physicians and fellows.
- b. It is the responsibility of the external entity employing the resident physician or fellow to determine that the employed resident physician or fellow has an unrestricted license, appropriate liability coverage, and the training and experience required to carry out assigned duties.
- c. Compensation for external moonlighting is paid directly to the resident physician or fellow by the employing external entity.

Procedure – Internal Moonlighting

- a. Departments that wish to establish internal moonlighting opportunities for resident physicians and fellows must have the specific opportunity approved in advance by the Executive Dean of the Brody School of Medicine, the President of ECU Health Medical Center, and the GME Committee.
- b. Prior to commencement of any specific moonlighting within a department the relevant department chair and program director must have received documentation of GME Committee approval from the ECU Health Medical Center Office of GME.
- c. Requests for approval of a specific internal moonlighting opportunity must be submitted two months in advance of the anticipated start date and must include the following information:
 - Department name, chair, and program director.
 - Rationale for establishing the internal moonlighting opportunity.
 - Detailed description of the internal moonlighting opportunity including
 - * clinical location
 - * hours/shifts
 - * type of supervision (direct, indirect)
 - * scope and level of responsibility of the clinical activity
 - * how all relevant physician trainees will be notified and scheduled for the moonlighting opportunity
 - * mechanism for compensating the trainee and amount of compensation
 - * mechanism for liability insurance coverage and coverage amount details
 - * how maximum permitted hours, mandatory free time, and maximum in-house call frequency compliance will be monitored and documented.
 - The request must be signed by the department chair and relevant program director.

- d. GME Committee approval of an internal moonlighting proposal is for six months. The approval may be renewed by the DIO upon receipt of progress report on the internal moonlighting program that includes an assessment of the impact of the internal moonlighting on usage of internal moonlighting and duty hour compliance and fitness for work by the moonlighting trainees.
- e. Approval for a moonlighting program can be revoked by the DIO, in consultation with the GME Committee, at any time.