I. Policy Statement
   A. The purpose for this policy is to set forth the conditions and requirements for professional activities outside the educational program (moonlighting) for residents.
   B. This policy is important because residents must comply with Accreditation Council for Graduate Medical Education (ACGME) duty hour requirements. Residents must also be made aware of malpractice insurance and licensure issues required for moonlighting as well as legal aspects for residents who are visa holders.

II. Definitions
    None

III. Process/Content
   A. The ACGME requires that the institution assure that each training program maintains a policy that specifies moonlighting conditions, including both internal and external moonlighting, and setting forth specific requirements for such activity. The moonlighting policy, whether moonlighting is allowed by individual programs or not, is to be referenced in each trainee contract.
   B. This policy has been created to
      1. Provide an institutional policy that guides and provides a basis upon which programs will develop their own specific policies.
      2. Inform and protect residents who choose to moonlight while training at University of Missouri Health Care (UMHC)
   C. Residents who consider moonlighting and/or other professional activities outside of the UMHC educational program must adhere to the requirements, standards, and definitions listed below:
   D. Requirements, Standards, and Definitions
      1. House Staff
         a. Residents who are physicians in training for board certification
         b. Required to have a current temporary or permanent Missouri medical license
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c. Are provided UMHC malpractice insurance during official training activities.
d. Billing, directly or indirectly, for services during such training hours is not permitted.

2. Internal Moonlighting
   a. Internal Supervised Resident Activity (ISRA)
   b. Elective resident participation in patient care within their specialty program and license that exceeds ACGME and program requirements.
   c. ISRA includes an additional stipend, but must be voluntary.
   d. Must be at the UMHC clinics and campuses or at a UMHC site where training normally occurs.
   e. Must be rendered under GMEC approval with the same faculty supervision, attending billing, and documentation rules.
   f. Must be at a level of clinical responsibility that is appropriate for the resident’s level of training.
   g. An individual resident may voluntarily choose to participate in this elective responsibility, if offered the opportunity by their program, upon successful completion of the PGY-1 year.
   h. This activity is counted as part of the resident’s regular duties in the 80-hour per week duty requirement.
   i. A resident wishing to participate in internal moonlighting must have written permission to do so, and this documentation must be maintained in the resident’s file.
   j. A PGY-1 resident is not eligible for internal moonlighting at any time or under any circumstances.

3. External Moonlighting
   a. External moonlighting is voluntary medical practice/work done by residents outside of his or her training program and outside the scope of training.
   b. Any resident wishing to moonlight must receive written approval to do so from their program director as well as
      (1) Written permission from the program director must be stored and maintained in the resident’s file.
      (2) Moonlighting must be approved by the department chairman and the program director of the training program of the individual, with determination and assurances that
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moonlighting is not detrimental to the resident’s training in any significant way.

c. The program director must monitor the moonlighting activity to ensure that the resident does not become excessively fatigued.

d. The program director may limit or suspend moonlighting activity, either individually or unilaterally, if excessive fatigue or interference with the required training activities is found.

e. External moonlighters, since they are functioning as attending physicians, must:
   (1) Hold permanent licenses (Missouri medical, Federal Narcotics (Drug Enforcement Administration--DEA) and State Narcotics (Bureau of Narcotics and Dangerous Drugs—BNDD) before beginning any moonlighting work.
   (2) Have medical staff privileges and malpractice coverage for the patient care they will provide.

f. External moonlighting can be a medical practice outside of the training program, but within a UMHC location or under UMHC ownership. In this situation, UMHC provides for malpractice coverage and any related legal representation.

4. Moonlighting for J-1 or H-1B Visa Holders

a. All international medical residents or medical residents who are not US citizens or legal permanent have specific restrictions imposed on moonlighting by the U. S. Customs and Immigration Service.

b. Federal regulations concerning J- and J-1 Educational Commission for Foreign Medical Graduates (ECFMG) visa holders do not permit activity and/or financial compensation outside the defined parameters of the training program. Moonlighting in any form is prohibited and residents are prohibited from obtaining employment that is not part of their training program.

c. H-1B visa holders are also prohibited from moonlighting unless specifically allowed in their visa.

d. Any resident in a training program at UMHC who fails to comply with this regulation is at risk for deportation.

5. To ensure compliance with these regulations, the following process will be followed:

a. Any resident wishing to moonlight must receive approval to do so from their program director. Moonlighting must be approved by the department chairman and program director of the training program,
and these individuals should assure that moonlighting is not detrimental to training in any significant way.

b. The department chairman and/or program director must verify visa status. If it is determined that the resident wishing to moonlight is a J-1 visa holder, the chairman and/or program director will not allow the resident to moonlight.

c. If it is determined that the resident wishing to moonlight is an H-1B visa holder, the chairman and/or program director must request that the resident submit his H-1B documents for review by the University of Missouri Legal Counsel to determine whether the stipulation for outside employment is written in the visa. If moonlighting is not specifically allowed in the visa, the chairman and/or program director will not allow the resident to moonlight.

6. Each program must create a policy that complies with the institutional policy and place both the program policy and the institution policy in their program manual.

Attachments
Not Applicable

IV. References, Regulatory References, Related Documents, or Links
Not Applicable