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## POLICY AND PROCEDURE

### UNIVERSITY OF NORTH CAROLINA HOSPITALS GRADUATE MEDICAL EDUCATION POLICY ON MOONLIGHTING

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#### POLICY:

The Executive Committee of the Medical Staff has the responsibility for determining institutional policy regarding whether moonlighting by residents in training should be authorized. Unauthorized moonlighting is inconsistent with the educational objectives of Residency program requirements as specified by the UNC Hospitals Graduate Medical Education Office and the Accreditation Council on Graduate Medical Education (ACGME) and, therefore, is prohibited. Violation of this policy may result in dismissal.

“Moonlighting” is defined as extra work for extra pay, and includes non-medical/non-clinical positions. A non-clinical position is defined as a position in a healthcare-related field with no patient contact, either direct or indirect (such as chart review for research purposes) and with no medical decision-making that could impact patient care. A non-medical position would be one outside of healthcare that does not require medical training, such as working in store or restaurant.

While performing clinical moonlighting services, residents must have a full, unrestricted license issued by the North Carolina Medical Board. **All** moonlighting hours must be documented in E\*Value, including non-medical and non-clinical hours; failure to do so will result in suspension or revocation of moonlighting privileges. All residents must comply with the written policies regarding duty hours as per the training program, UNC Hospitals and ACGME.

Those resident trainees moonlighting at UNC Hospitals or a UNC Health Care System affiliated entity (except for Rex Healthcare and Chatham Hospital) are covered under the UNC Hospitals Liability Insurance Trust Fund professional liability program. No other moonlighting is covered under the UNC Hospitals Liability Insurance Trust Fund professional liability insurance program as the activity is outside the scope of UNC Health Care System employment. Trainees who are not moonlighting at UNC Hospitals or a UNC Health Care System affiliated entity 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 must meet any other requirements for clinical privileging at the

employment site, including those trainees moonlighting at Rex Healthcare and Chatham Hospital.

Authorized moonlighting which does not interfere with the Residency Program requirements as specified by the ACGME is permitted under limited circumstances. The term for any authorized moonlighting shall not extend beyond the end of the academic year in which the moonlighting is approved. Residents who want to participate in moonlighting activities for longer than one academic year must apply for approval of such activities each academic year.

- I. All duly appointed residents to the Housestaff of UNC Hospitals shall perform their duties during such hours as the Departmental Duty Hour Policies specify. Duty hours, although subject to modification and variation depending on the clinical area to which the Housestaff member is assigned and/or exigent circumstances, shall be in accordance with State, Federal, Departmental and Institutional requirements.
- II. Permission to engage in moonlighting in addition to, or outside of, the Residency Program's requirements by a member of the Housestaff must:
  - A. be granted in writing by the Residency Program's Director and Chair of the Department;
  - B. be approved by the Graduate Medical Education Committee;
  - C. be consistent with ACGME and Program Requirements;
  - D. not impinge upon the performance of educational obligations of the resident; and
  - E. not require the resident to work more than the hours permitted by the Program, ACGME, State and Institution requirements.

It is the responsibility of the Program Director/Department Chair to monitor each resident who has been approved to moonlight for the effect of moonlighting on the resident's residency training and with respect to compliance with this policy; any adverse effects on the resident or resident failure to comply with this policy may lead to withdrawal of permission to moonlight by the Program Director, Department Chair or the Graduate Medical Education Committee.

- III. Residents must not be required to perform moonlighting.
- IV. All residents engaged in clinical moonlighting in addition to, or outside of, the Residency Program requirements must be licensed for unsupervised medical practice in the State where the moonlighting occurs.
- V. In evaluating proposed moonlighting, the Program Director and Department Chair must consider the following:

- A. The capacity of the resident to fulfill his/her educational objectives and responsibility for patient care within his/her residency program; and
  - B. The total number of hours worked, including moonlighting, must not exceed the 80-hour duty limits; and
  - C. The resident must have **at least** ten (10) hours respite time between the end of the moonlighting hours and the start of duty hours of his/her residency that involve patient care.
- VI. A Department considering a resident's request to moonlight must submit the resident's "Request for Approval To Moonlight" Form and supporting documentation to the Office of Graduate Medical Education. The Office of Graduate Medical Education will review the paperwork for the following prior to GMEC consideration:
- A. The name of the site and a particularized description of the moonlighting activity(ies), including the estimated number of hours to be worked;
  - B. The Program Director's and Department Chair's signatures approving the resident's request to moonlight;
  - C. Documentation that the resident has a permanent medical license, not a training license, if required;
  - D. Documentation that adequate liability coverage is provided by the site, if required;
  - E. Whether the resident has the appropriate training skills to carry out the assigned duties;
  - F. The total hours worked, including moonlighting, do not exceed the 80-hour duty limits;
  - G. Document their DEA status and provide the DEA number to be used, if applicable, at any site external to UNC Hospitals;
  - H. Agreement by resident to provide documentation of all sites resident or subspecialty resident is moonlighting, including documentation by the site of the number of hours worked; and
  - I. For non-clinical/non-medical moonlighting, certification by the Program Director that the moonlighting activities were reviewed and fall under the category of non-clinical or non-medical moonlighting.

- VII. The Graduate Medical Education Committee (GMEC) will act upon the request and make a recommendation to the Executive Committee of the Medical Staff.
- VIII. Residents who perform moonlighting must record their moonlighting hours, in addition to their regular duty hours, in E\*Value.
- IX. Housestaff will be provided with a copy of this policy prior to their appointment.
- X. This Policy will appear in the Housestaff Manual.
- XI. A Chair or Program Director may decide that moonlighting in his/her program only be allowed under a stricter policy than the one outlined herein; such a departmental policy should be provided to applicants for residency training and reaffirmed at the time of appointment and orientation to the department.
- XII. A Chair or Program Director may decide that moonlighting is not allowed during residency training in his/her program; this policy should be provided to applicants for residency training and reaffirmed at the time of appointment and orientation to the department.
- XIII. Residents who perform moonlighting must report to the GME Office, the UNC Hospitals' Legal Department, and their program director any lawsuit filed against them concerning their moonlighting activities.
- XIV. Residents who are on Family Medical Leave will not be approved for or permitted to moonlight and prior permission to moonlight will be suspended during any period of Family Medical Leave.
- XV. PGY 1 residents are prohibited from any moonlighting.
- XVI. All moonlighting counts toward the 80-hour duty limits.
- XVII. Moonlighting cannot be used to avoid compliance with the 80-hour duty limits.
- XVIII. Moonlighting activities must not commence prior to approval by the GMEC. Moonlighting requests will not be approved retrospectively.

IX. DEA Registration Number

- a. **Under no circumstances are residents or subspecialty residents permitted to use the institutional DEA registration number for UNC Hospitals when moonlighting externally.**
- b. Residents and subspecialty residents may use the UNC institutional DEA registration number for UNC Hospitals, modified by an appropriate suffix, when moonlighting at UNC Hospitals and UNC Hospitals-affiliated facilities.

Any questions about whether a particular facility qualifies as a UNC Hospitals-affiliated facility can be addressed through the moonlighting application and approval process.

- c. When residents and subspecialty residents are moonlighting at another hospital (e.g., *Carolinas Medical Center, Central Regional, Chatham Hospital, Moses Cones, Rex Hospital, WakeMed*), they should use the institutional DEA registration number of the applicable hospital, modified by an appropriate suffix. If the other hospital does not permit a moonlighting resident to use its institutional DEA registration number, the moonlighting resident will have to obtain his/her own DEA registration number, or the moonlighting request will be denied.

Originating Unit: Executive Committee of the Medical Staff

Reviewed and revised as necessary:	5/92
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Medical Staff Approval:	2/4/02
GMEC Reviewed and Approved:	12/17/03
GMEC Reviewed and Approved:	10/18/06
GMEC Revised and Approved:	10/17/07
GMEC Revised and Approved:	9/17/08
Medical Staff Approval:	10/13/08
GMEC Revised and Approved:	12/17/08
Medical Staff Approval:	1/12/09
GMEC Revised and Approved:	9/16/09
Medical Staff Approval:	10/12/09
GMEC Revised and Approved:	3/16/11
Medical Staff Approval:	4/11/11
GMEC Revised and Approved:	6/15/11
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