Policy Statement

Outside employment, commonly known as "moonlighting," is strongly discouraged where such outside activity might interfere with the service and educational obligations of the Resident/Fellow. UMass Medical School permits Residents and Fellows to participate in outside, extended employment situations under certain specific conditions (see key requirements as noted below). As long as ALL these conditions are met, insurance coverage will be provided under the clinical system’s self-insurance program.

In addition to the UMMS Institutional Moonlighting (Extended Employment) Policy, each residency and fellowship program may have a program-specific policy which may be more stringent or may prohibit moonlighting entirely. Before a Resident/Fellow may accept any outside employment, the Resident/Fellow must obtain the written approval of the program director on a form provided by the OGME. A separate written approval is needed for each outside employment site, for each separate position within the same employment site, and for all changes thereof.

In no instance may a Resident/Fellow engage in outside employment when such employment may require the Resident/Fellow's physical presence or personal attention during regularly assigned duties as a UMMS Resident/Fellow or when such employment violates UMMS and ACGME Duty Hours Requirements.

The UMMS offers malpractice insurance coverage for Resident/Fellow engaged in outside employment only under strict conditions, as described in the UMMS Extended Employment Guidelines. Residents/Fellows whose outside employment does not comply with these guidelines are responsible for their own malpractice insurance.

A full Massachusetts License is required for all outside employment.
Residents and Fellows must have required Employment Authorization and may not moonlight on a J-1 visa.

Residents on an H1B visa may be permitted to moonlight only if the additional locations and duties do not differ from the original H1B petition and underlying LCA. If an amendment to the original H1B petition is necessary, moonlighting will not be permitted.

**Reason for Policy**

Both the Medical School and the clinical system support these “moonlighting” arrangements because extended employment opportunities provide valuable physician services to community sites and expand Residents/Fellows' community-based experience and financial resources. While each Resident/Fellow has the right to engage in outside employment, the program director has the obligation to counsel and advise the Resident/Fellow if such outside employment will be detrimental to the Resident/Fellow and to the residency or fellowship program's interest. In reviewing a request for approval to engage in outside employment, the program director and the Resident/Fellow should consider: (1) the Resident/Fellow's capacity to fulfill primary responsibilities while accepting outside responsibilities; (2) the nature and content of the outside employment activities in terms of service and educational value; (3) the health care needs of the community being served; (4) any limitation or controls set by the program's accreditation requirements, and (5) implications for professional liability coverage. The program director may also consider any potential conflict of interest of the employment location and responsibilities.

**Entities Affected By This Policy**

This policy applies to all residents and fellows, whether in accredited or non-accredited training programs. It applies to both Internal (UMass Memorial) and External (other approved) sites.

**Related Documents**

- Guidelines for Community Sites

**Scope**

All residency and fellowship programs are subject to this GME Policy and may have additional program specific policies and requirements.

**Responsibilities**

- All residents wishing to moonlight must follow all aspects of the moonlighting policy and procedure
- OGM will process all site authorization and resident authorization paperwork.
Procedures

Requirements for Residents and Fellows are as follows:

1. Each Resident or Fellow must submit a COMPLETE MOONLIGHTING AUTHORIZATION FORM to the OGME with ALL QUESTIONS FULLY ANSWERED including ACLS and BLS expiration dates, service provided and site supervisor. Partially completed applications will not be approved.

2. Each Resident or Fellow must provide the OGME with a copy of a valid Massachusetts FULL License and a copy of his/her most recent license application.

3. Each Resident or Fellow must obtain his/her own State and Federal DEA number. Copies of both must be submitted to the OGME. (The Resident/Fellow has 3 months from the date of receiving his/her full license to apply for State & Federal DEA numbers.) The UMMC hospital DEA number can be used on the UMass or Memorial campus ONLY for up to 3 months, after which time it will be deactivated. An individual DEA number will be required from that point forward.

4. Residents/Fellows on a limited license may receive additional compensation for providing additional coverage in the program training sites, which may become necessary as a result of Resident/Fellow shortage and patient coverage needs. Such additional coverage and compensation must be pre-approved by the Program Director and the OGME, and must comply with UMMS and ACGME Duty Hours requirements (80 hour weekly limit on duty hours, 24 hours of continuous patient care, and 10 hours between shifts).

5. Residents/Fellows on an H1B visa must provide required documentation and receive approval from the Immigration Services Office PRIOR to authorization.

6. Residents/Fellows on a J-1 visa are not permitted to moonlight (per regulations of the USIA).

Residents/Fellows on a J-1 visa may receive additional compensation for providing additional coverage within the program training rotations which may become necessary as a result of training rotation coverage needs. All such additional shifts must have program director approval and must comply with UMMS and ACGME Duty Hours requirements (80 hour weekly limit on duty hours, 24 hours of continuous patient care, and 10 hours between shifts).

7. Residents/Fellows must register with the city(ies) or town(s) where they will work, in compliance with State regulations.

8. Program directors must submit individual written renewal authorizations each academic year for each Resident/Fellow listing each moonlighting site. Authorizations may be withdrawn during the academic year based on less than satisfactory Resident/Fellow academic or clinical performance, or for violation of these requirements. Because graduate medical education is a full-time endeavor, the program director must ensure that moonlighting does not interfere with the ability of the Resident/Fellow to achieve the goals and objectives of the educational program. Residents and Fellows cannot be required to moonlight.

9. Moonlighting opportunities are limited to approved services at approved sites (Note: Approvals are service specific). The name of the clinical supervisor at the facility must be provided. Residents/Fellows who work BEFORE they receive written authorization WILL NOT BE PAID through the OGME and WILL NOT HAVE MALPRACTICE COVERAGE for shifts worked.

10. Claims Management must approve each moonlighting request. Moonlighting is not permitted until written notification of approval is received from the OGME.
11. The moonlighting site must reimburse each Resident/Fellow through the Office of Graduate Medical Education. Residents/Fellows may NOT be reimbursed directly by the site.

12. The total number of in-hospital hours worked per week (residency or fellowship activity combined with moonlighting activity) must remain in full compliance with the Residency Review Committee (RRC) and Accreditation Council for Graduate Medical Education (ACGME) Common Program requirements. Additional moonlighting hours of out-of-hospital back-up or beeper call must be reviewed by the Residency/Fellowship Program Director and may be approved on a case-by-case basis. In-House Moonlighting is limited to no more than 24 consecutive hours with a period of 10 hours between shifts. This applies to all Residents and Fellows, whether involved in clinical or research activities.

13. Each Resident/Fellow who wishes to participate in a moonlighting opportunity must agree to strictly abide by these extended employment requirements including risk management reporting requirements, and must indicate this agreement by signing his/her name to the moonlighting authorization form.

14. Each Resident/Fellow must abide by billing policies and must indicate this agreement on the moonlighting authorization form.

15. Each Resident/Fellow should keep the pink copy of the Extra Compensation form for payment verification, tax records and risk management documentation.

**Approvals**

Deborah DeMarco, Assoc Dean for Graduate Medical Education


**Forms / Instructions**

- Moonlighting Authorization Form
- Extended Employment Instructions
- Internal Site Authorization Forms (Resident and Fellow)
- External Site Authorization Forms (Resident and Fellow)

**Appendices**

**UMMS MEMORIAL EXTENDED EMPLOYMENT BILLING GUIDELINES**

1. Billing for moonlighting services in the resident’s or fellow’s name may only be generated in the outpatient or emergency departments. No inpatient services provided by a Resident/Fellow at UMass Memorial Medical Center may be billed under the resident’s name. A professional billing for an inpatient service may be generated under the attending
physician’s name only when the attending physician has completed and documented a patient examination or procedure.

2. Any plan to bill for outpatient or emergency department services under a Resident or Fellow’s name and UPIN number requires a brief description of moonlighting services and responsibilities which states that these are separate from and do not occur during the same time period as those activities and rotations required as part of the approved GME program in which the Resident/Fellow is enrolled.

ALL MOONLIGHTING IS SUBJECT TO UMASS MEMORIAL CLINICAL POLICY #1080 Occurrence (Incident) Reporting Policy – Effective Date: 8/27/2012

REPORTING IS MANDATORY FOR ANY INCIDENT THAT MAY OCCUR AT OTHER SITES DURING EXTENDED EMPLOYMENT ACTIVITIES!!