

Departmental Policy Title:	Moonlighting Policy - GME	Policy ID:	11310
Keywords	moonlighting, privileges, DEA License, J-1, second, job		
Department	Graduate Medical Education		

I. Purpose of Policy

The policy addresses the Accreditation Council for Graduate Medical Education (ACGME) Requirement that the Sponsoring Institution maintain a policy regarding professional activities outside the required educational program.

II. Policy Scope

This policy applies to all ACGME-accredited residency and fellowship programs at Dartmouth-Hitchcock (D-H).

III. Definitions

Resident: any physician in an accredited graduate medical education program, including interns, residents, and fellows.

Moonlighting: Voluntary, compensated, medically-related work that is not part of the required educational program.

Internal moonlighting: ED/Ambulatory setting (unsupervised): Any moonlighting that occurs Within D-H [Mary Hitchcock Memorial Hospital (MHMH) or Dartmouth-Hitchcock Clinic (DHC)] where the resident is performing as an independent practitioner outside of his or her area of training in an outpatient setting.

Internal moonlighting: Inpatient setting (supervised): Extra work for extra pay performed at a site that participates in the resident's training program. This activity must be supervised by faculty and is not to exceed the level of clinical activity currently approved for the trainee.

External moonlighting: Any moonlighting that occurs outside of D-H, inclusive of Participating Hospital Affiliates.

IV. Policy Statement

General:

- Dartmouth-Hitchcock neither encourages nor discourages moonlighting. Moonlighting is strictly voluntary.
- Individual ACGME-accredited programs may prohibit moonlighting by residents.

- All residents participating in moonlighting must first complete a Moonlighting Request form in the Residency Management System to obtain approval and signature by the Program Director and the Director of GME prior to undertaking such activity.
- All moonlighting approvals:
 - Remain in force for the current academic year unless terminated by the Program Director.
 - Automatically expire on June 30 of a given academic year.
 - For the next academic year must be processed and approved before undertaking additional moonlighting activities.
- All moonlighting activities, internal and external, must be:
 - Reported by the resident as duty hours within the Residency Management System (RMS) using the appropriate identifier.
 - Counted toward the 80-hour weekly limit on duty hours.
- Restrictions include the following:
 - PGY-1 and PGY- 2 residents may not moonlight.
 - Residents employed under a J-1 visa are strictly prohibited by law from participating in moonlighting activities.
 - Residents employed under an H1-B visa may be able to moonlight under specific, very limited circumstances.
- Violation of these moonlighting rules and procedures by the resident may lead to disciplinary action.

Program Director Responsibilities:

- Approval of resident moonlighting request in the Residency Management System.
- Monitoring of all moonlighting activities on an ongoing basis.
- Responsibility for assuring that moonlighting activities do not interfere with the ability of the resident to meet the goals, objectives, assigned duties, and responsibilities of the educational program.
- Withdrawal of permission to moonlight if, at any time, moonlighting activities are seen as producing adverse effects on the resident's performance in the program.

Resident Responsibilities:

- Remain in good standing within their program; and
- Complete a Moonlighting Request in the Residency Management System to obtain approval and sign-off by their Program Director and the Director of GME prior to undertaking any moonlighting activity.
- Apply for and obtain a permanent license to practice medicine as required for moonlighting activities.
- Apply for and obtain an individual Federal DEA # as required for moonlighting activities.
- Complete credentialing packet from Medical Staff Office (MSO) for moonlighting.

GME Office Responsibilities:

- Approval of resident moonlighting request in the Residency Management System.
- Maintain a completed Moonlighting Request form in the Residency Management System.

Moonlighting Categories:

- **Internal Moonlighting - ED/Ambulatory setting (unsupervised)** is defined as any moonlighting that occurs within D-H (Mary Hitchcock Memorial Hospital [MHMH] or Dartmouth-Hitchcock Clinic [DHC]) where the resident is performing as an independent practitioner outside of his or her area of training in an outpatient setting.
 - Full NH licensure is required
 - Individual DEA # is required if applicable.
 - Appropriate credentialing as decided by D-H Medical Staff Office.
 - D-H may bill for moonlighting services rendered in the outpatient department or the Emergency Department subject to the following criteria:
 - The services are identifiable physician services that are otherwise eligible for payment.
 - The resident is fully licensed to practice medicine in the state.
 - The services performed can be separately identified from those services that are required as part of the approved GME program.
 - The hiring D-H department is responsible for the accuracy of billing related to moonlighting in the ED/Ambulatory setting.

- **Internal Moonlighting – Inpatient setting (supervised)** is defined as extra work for extra pay performed at a site that participates in the resident’s training program. This activity must be supervised by faculty and is not to exceed the level of clinical activity currently approved for the trainee.
 - Full NH licensure is required
 - Individual DEA # if applicable
 - D-H may not bill Medicare for resident services. In addition, the services of the resident are not billable to Medicare or Medicaid or any other government payor by the supervising teaching physician during periods of moonlighting, regardless of whether the requirements of the Physicians in a Teaching Hospital (PATH) rules are met.
 - Residents who moonlight within D-H (internal moonlighting) will be covered for medical malpractice under the Dartmouth-Hitchcock Professional Liability Insurance Policy so long as the resident practices within the appropriate level of training and within the scope of employment, and are appropriately credentialed by the institution. The hiring D-H department is responsible for the accuracy of billing related to moonlighting in the inpatient setting.

- **External Moonlighting** is defined as any moonlighting that occurs outside of D-H, inclusive of Professional Hospital Affiliates.
 - Residents moonlighting outside of D-H (external moonlighting) are not covered by the Dartmouth-Hitchcock Professional Liability Insurance Policy and must make certain that the outside employer provides adequate professional liability coverage. It is the resident’s responsibility to determine what level of coverage is “adequate.”

V. References N/A

Responsible Owner:	Graduate Medical Education (GME)	Contact(s):	Karen Miller
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