



OMEKO

Graduate Medical Education Policy

Approved by the GMEC (Graduate Medical Education Committee) on August 26, 2025

Effective Date: July 1, 2023

Review Date: August 26, 2025

Next Review Date: August 2030

Policy Name: Moonlighting Policy

Purpose: To set forth policies and procedures governing moonlighting by Trainees in OSU-CHS/OMEKO Sponsored Programs.

Policy Type: Sponsoring Institution/Sponsored Program Policy

Definitions

Trainees must adhere to the definition of Clinical and Educational Work Hours or Work Hours (in which moonlighting is counted): All clinical and academic activities related to the training program, i.e., patient care (both inpatient and outpatient), administrative duties related to patient care, the provision for transfer of patient care, time spent in-house during call activities, moonlighting (internal and external), and scheduled activities such as program required conferences. Clinical and educational work hours do not include reading about the next day's cases, studying and research done from home. Whenever a Trainee Moonlights they are required to accurately enter in New Innovations the Moonlighting hours worked and the site location.

Trainees must be in good standing with the Sponsored Program; they cannot have a non-reviewable or reviewable corrective action that is active. Trainees with previous corrective actions must be reviewed closely by the Program Director to ensure that any type of moonlighting will not adversely affect the Trainee's progression in their educational curriculum.

Clinical Moonlighting or Moonlight: Voluntary, compensated, medically related work, performed beyond a Trainees clinical experience and education hours, additional to the work required for successful completion of a training program.

External Moonlighting: means voluntary, compensated, medically related work performed outside the site where the Trainee is in training, or at any of its related participating sites.

Internal Moonlighting: means voluntary, compensated, medically related work within the site where the Trainee is in training or at any of its related participating sites

Non-Clinical Moonlighting: Where activity does not require that the incumbent hold a medical license. The Trainee does not need a permanent medical or DEA (Drug Enforcement Administration) license or

require additional malpractice insurance. The Trainee does not require credentialing as a Clinical Staff member. This can include employment that is not clinically related but will require the Trainee to be physically present for work-related duties that could impact their ability to adequately rest and be responsive to their clinical responsibilities as a Trainee.

PROCEDURE: Trainees must not be required to engage in Moonlighting and residents must have written permission from their Program Director to Moonlight.

Sponsored Programs are required to monitor the effect of Moonlighting activities on a Trainees' performance in the training program, including that adverse effects may lead to withdrawal of permission to Moonlight.

The Sponsoring Institution or Sponsored Programs may prohibit Moonlighting by Trainees. Overall, the Sponsoring Institution recommends heightened attention by each Program Director by each Sponsored Program due to the potential negative impact Moonlighting may have on a Trainees' educational growth as well as the challenges Moonlighting can present in ensuring compliance with ACGME (Accreditation Council for Graduate Medical Education) requirements governing Clinical and Educational Work Hours, fatigue mitigation, and fitness for duty.

Trainees must not participate in Moonlighting if it violates the GME (Graduate Medical Education) Work Hour scheduling and reporting requirements described below.

PGY-1 Trainees are not allowed to Moonlight. Trainees with J-1 or J-2 visas are not permitted to Moonlight. Trainees with H-1B visas cannot Moonlight under the Sponsoring Institution.

Trainees must continue to meet their professional responsibility to appear for work and training appropriately rested and fit to provide the services required by patients. Trainees should have eight hours free from clinical experience and education before returning to training after Moonlighting. Violations of this Moonlighting Policy may result in disciplinary action, up to and including dismissal.

Licensing and Professional Liability Coverage: Each Trainee approved to Moonlight is responsible for maintaining the appropriate state medical licensure for the location of their Moonlighting services and is also responsible for maintaining separate professional liability insurance for all Moonlighting activities.

Trainees are not permitted to supervise other Trainees while Moonlighting.

To receive permission to Moonlight, Trainees must submit a written request to his/her Program Director. The request shall identify the location and schedule for the proposed Moonlighting, who will provide professional liability coverage. If approved, the Program Director will include a written statement of permission in the Trainees file and will monitor the effect of the Trainees Moonlighting activities.

Adverse effects on the Trainees' performance may lead to withdrawal of permission to Moonlight.

Sponsored Programs may have additional Moonlighting restrictions and will distribute their program policy and procedures to Trainees and faculty. Moonlighting must not interfere with a Trainees' ability to achieve the goals and objectives of their Program, must not interfere with the Trainees' fitness for work nor compromise safety.

Volunteering for Medical Work: Residents performing medical care as a volunteer must meet the following requirements.

- Volunteer hours must be counted towards the 80-hour work week. The ACGME looks at volunteering as non-paid moonlighting.
- The nature of the volunteer activity must be consistent with the scope of the training program and level of training of the trainee. This requires PGY I's to have appropriate supervision for services rendered. Failure to meet supervisory principles could result in discipline from the sponsored program or sponsoring institution.
- A moonlighting/volunteering activity report must be on file with the GME office to ensure malpractice coverage for the volunteer activity.

If there are discrepancies between Sponsored Program and Sponsoring Institution policies, in general the stricter of the two policies will apply; however, the Sponsoring Institution and the Sponsored Programs will work collaboratively to come to consensus in areas of debate.

References:

ACGME Sponsoring Institution Requirements:

4.11.a. Moonlighting The Sponsoring Institution must maintain a policy on moonlighting that includes the following:

4.11.a.1. residents/fellows must not be required to engage in moonlighting; (Core)

4.11.a.2. residents/fellows must have written permission from their program director to moonlight; (Core)

4.11.a.3. an ACGME-accredited program will monitor the effect of moonlighting activities on a resident's/fellow's performance in the program, including that adverse effects may lead to withdrawal of permission to moonlight; and, (Core)

4.11.a.4. the Sponsoring Institution or individual ACGME-accredited programs may prohibit moonlighting by residents/fellows. (Core)

ACGME Common Program Requirements:

6.20. Maximum Hours of Clinical and Educational Work per Week

Clinical and educational work hours must be limited to no more than 80 hours per week, averaged over a four-week period, inclusive of all in-house clinical and educational activities, clinical work done from home, and all moonlighting. (Core) 6.25. 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 fitness for work nor compromise patient safety. (Core)

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

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