


Subject MOONLIGHTING	 UNIVERSITY of MARYLAND MEDICAL CENTER MIDTOWN CAMPUS	Policy Number GME 009	Effective Date Revised November 21, 2014
---------------------------------------	---	--	---

MOONLIGHTING, GME 009

1. Purpose

The University of Maryland Medical Center Midtown Campus (UMMC Midtown Campus) is committed to facilitating the resident's professional and personal development while ensuring safe and appropriate care for patients and a strong commitment to the resident's educational program. This policy outlines the circumstances under and the procedure by which a resident may practice medicine after completing regular contractual patient care duties and educational activities, i.e. extracurricular employment (moonlighting).

2. Scope

This policy applies to all residents participating in training programs sponsored by UMMC Midtown Campus. Both extra sessions and external moonlighting are included in this policy. NOTE: Residents with J-1 visa sponsorship are not permitted to engage in moonlighting activities.

2.1 Internal Moonlighting (Extra Sessions)

Extra sessions allow residents to perform extra amounts of work in the same venues and with the same activity as found in their regular curriculum. The residents are supervised by faculty, have prescribed duties and their performance is formally evaluated by faculty of their training program. The faculty is responsible for the residents' actions just as in the regular curriculum. Though there is extra compensation for this extra activity, the activity is considered supplementary to their formal training. It is not a substitute for the formal curriculum. The residency program keeps records of activity and supervision. This type of supplemental duty is approved and arranged by the Program Director, and in this function, the resident is not required to obtain supplemental malpractice insurance.

2.2. External Moonlighting

External Moonlighting allows residents to perform extra amounts of work in and receive pay through venues unsupervised by UMMC Midtown Campus faculty. For all moonlighting activities, the resident must obtain prior written approval from the Program Director, and copies of this written approval must be placed in the resident's folder. This activity is not considered adjunctive to the resident curriculum and the resident is acting as an "independent contractor." All residents engaged in moonlighting activities must be independently licensed for unsupervised medical practice, possess the appropriate

training and skills for the moonlighting activity, and must obtain proper malpractice insurance with a minimum of \$1M/3M.

Specific Restrictions on All Moonlighting Activities:

- 2.3.1. Moonlighting is limited to PGY 3 residents who scored at least 60% in percentile rank (compared to their peers nationally) on the most recent In-Training exam.
- 2.3.2. Moonlighting must NOT exceed 24 hours per month and may be further limited at the Program Director's discretion.
- 2.3.3. Residents engaged in moonlighting activities may only attempt procedures for which they have been deemed competent to perform independently.
- 2.3.4. Moonlighting must NOT interfere with the ability of the resident to achieve the goals and objectives of the educational program. Residents are only allowed to moonlight if all dictations are completed, and they are on elective, rheumatology, endocrinology, geriatrics, or ambulatory block rotations. No overnight shifts are permitted during the week.
- 2.3.5. Internal and external moonlighting is considered part of the 80-hour weekly limit on duty hours and all hours spent moonlighting must be documented on the duty hour log.
- 2.3.6 Transitional Year residents are not allowed to moonlight.

3. Responsibility

- 3.1. The resident complies with the procedures for requesting and receiving approval for extra sessions and/or external moonlighting assignments as described in this policy. If the resident engages in external moonlighting, the resident's professional liability insurance is NOT covered by Maryland Medicine Comprehensive Insurance Program (MMCIP). For external moonlighting activities, the resident must obtain and provide proof of professional liability insurance coverage of \$1M/3M, to the Program Director.
 - 3.1.1. Any extracurricular employment without knowledge and prior written approval of the Program Director is grounds for dismissal from the training program.
- 3.2. The Program Director ensures that neither extra session nor external moonlighting activities exceed applicable Residency Review Committee (RRC) regulations or interfere with the resident's educational activities and patient care duties. The Program Director monitors resident performance to ensure that the policies relating to extra sessions and external moonlighting are enforced and that resident performance is not diminished because of these activities. The Program Director report of duty hours to the Graduate Medical Education Committee (GMEC) must count extra sessions and external moonlighting hours toward the sum total of working hours.
- 3.3. It is not the responsibility of UMMC Midtown Campus to provide outside employment for residents.
- 3.4 UMMC Midtown Campus accepts no responsibility for the financial consequences to residents who engage in extra sessions if permission for that employment is withdrawn because of poor performance in the training program or for other cause.

4. Procedures

- 4.1 Moonlighting is discouraged, but if the resident wishes to engage in extra sessions or external moonlighting activities after completing regular contractual duties and educational activities, the resident must obtain the prior written approval of the resident's Program Director. A record of the written approval will be kept in the resident's permanent file.
- 4.2 In situations in which the department permits extra sessions and/or external moonlighting the resident and Program Director must count extra sessions and external moonlighting hours toward the sum total of working hours and periods and must comply with the Resident Duty Hour policy.
- 4.3 The Program Director may restrict extra sessions and external moonlighting activities if he/she believes it may interfere with the resident's ability to complete educational activities and/or to provide appropriately care for patients.
- 4.4 Departmental policies regarding extra sessions and external moonlighting must comply with the UMMC Midtown Campus institutional policy and may contain additional restrictions or requirements.
- 4.5 The specifics of off-duty and extracurricular employment of external moonlighting will be negotiated between residents and their employers.
- 4.6 A resident may not provide coverage for individual physicians or groups of physicians by engaging in the private practice of medicine. A resident may not open a private practice office while in training.
- 4.7 Malpractice Insurance Coverage
 - 4.7.1 Professional liability coverage for a professional activity outside of the resident's training program is provided by the MMCIP only if the following criteria are met
 - 4.7.1.1 The service is an "extra session" assignment which has been approved by the Program Director; and
 - 4.7.1.2 The request for professional liability coverage has been submitted in advance in writing to MMCIP and approved by MMCIP.
 - 4.7.2 If the resident engages in external moonlighting, the resident's professional liability insurance is NOT covered by MMCIP and the resident must obtain professional liability coverage either on his/her own or from the contracting employer for a minimum of \$1M/3M. The resident must provide proof of coverage to MMCIP prior to the start of extracurricular employment. If coverage is provided on a "claims made" basis, the resident is obligated to obtain "tail coverage" upon completion of the extracurricular employment. Residents should require a 30-day cancellation notice of an individual policy.
- 4.8 Withdrawal of Extracurricular Employment Privileges

- 4.8.1 Consent to perform extra sessions or external moonlighting will be withdrawn if the Program Director determines that the extracurricular employment (moonlighting) interferes with the resident's performance academically or the residents meeting of patient care obligations.
- 4.8.2 Any extracurricular employment activity by a resident that appears to be detrimental to the reputation or well-being of UMMC Midtown Campus may be halted by the respective Program Director.
- 4.8.3 If the Program Director determines a resident's performance is below departmental standards, the resident will be immediately counseled, and a warning will be given that failure to correct deficiencies noted will result in withdrawal of permission for extracurricular employment.
 - 4.8.3.1 If the Program Director determines that there has not been adequate improvement in the resident's performance within the designated period of time, he/she will inform the resident of this decision and withdraw approval for the resident to perform extra sessions or external moonlighting.
- 4.8.4 UMMC Midtown Campus does not encourage nor require its residents to engage in extracurricular employment, including internal moonlighting.