MOONLIGHTING POLICY

PURPOSE

The University of Texas MD Anderson Cancer Center (MD Anderson), the Graduate Medical Education Committee (GMEC), and the Clinical Education Committee for Non-Physicians (CECNP) take seriously the responsibility of ensuring a quality learning environment for clinical Trainees, notably by ensuring a proper balance between education, patient care activities, and research activities within the duty hour limitations as defined by institutional policy.

Because of these concerns, Moonlighting is generally discouraged for clinical Trainees, particularly when the training program is only one year in length. During residency and fellowship training, the Trainee’s primary responsibility must be to acquire the knowledge, attitudes, and skills associated with the specialty in which he/she is being instructed. Moreover, no Trainee shall be required to participate in Moonlighting.

This policy provides the Program Directors with the discretion to determine whether or not to permit their Trainees to participate in Moonlighting activities.

POLICY STATEMENT

Under certain circumstances, a Program Director may permit his/her clinical Trainees to engage in Moonlighting activities. In such cases, the Moonlighting workload must not interfere with the Trainee’s ability to achieve the goals and objectives of the educational program.

SCOPE

Compliance with this policy is the responsibility of all faculty, trainees/students, and other members of MD Anderson’s workforce.

TARGET AUDIENCE

The target audience for this policy includes, but is not limited to, all Graduate Medical Education (GME) and Non-Physician Clinical Education (NPCE) clinical Program Directors and all Trainees appointed to residency or fellowship clinical training programs based at MD Anderson.

DEFINITIONS

External Moonlighting: Professional and/or independent patient care activities external to MD Anderson and outside the scope of the Trainee’s educational program.

Fellow (GME): A physician enrolled in a program of graduate medical education who has completed the requirements for eligibility for first board certification in the specialty.
**Internal Moonlighting:** Professional and/or independent patient care that is internal to MD Anderson, but outside the scope of the Trainee’s educational program.

- Activities may be billable to MD Anderson.
- Activities must be in compliance with Centers for Medicare and Medicaid Services (CMS).

**Moonlighting:** Professional and/or independent patient care activities that are outside the scope of the Trainee’s educational program.

**Program Director:** For the purpose of this policy, the individual with the authority and accountability to organize and oversee the operation and educational activities of a clinical training program.

**Resident (GME):** A physician enrolled in a medical specialty GME program to which successful completion meets first level board eligibility requirements.

**Resident/Fellow (NPCE):** A practitioner or mid-level health care provider appointed to a health care training program.

**Trainee (GME/NPCE):** An individual (i.e., Resident, Fellow, practitioners, mid-level health care providers, or health care professionals) holding an educational appointment through Academic & VISA Administration regardless of compensation status or benefits eligibility.

**PROCEDURE**

1.0 **Qualifications and Limitations for GME Trainees**

1.1 **Moonlighting:**

A. All GME programs must provide their Trainees with a written Moonlighting policy statement in the program’s Trainee manual.

B. Should the Program Director decide to permit Moonlighting, the program Moonlighting policy statement must include:

- Moonlighting is a voluntary activity and must not be a requirement of the training program.
- Scope of allowable Moonlighting (i.e., whether or not External Moonlighting is permitted, or limited to internal Moonlighting opportunities only).
- Trainees must have written approval from the Program Director in order to participate in Moonlighting activities. The approval is to be kept in the Trainee’s file.
- Trainees engaging in Moonlighting activities must adhere to the institution’s 80-hour work week guideline as defined in the Duty Hours and Working Environment Policy (UTMDACC Institutional Policy # ACA0086).
- Moonlighting hours are monitored.
- Trainees must report Moonlighting hours worked through the mechanism designated for reporting regular duty hours.
Trainees must not let Moonlighting interfere with their educational and clinical responsibilities.

The Program Director has the authority to withdraw approval at any time.

1.2 Internal Moonlighting:

GME Trainees are only permitted to moonlight inside MD Anderson under the following conditions:

A. Trainees must obtain the written consent of the Program Director.

B. The Trainee is responsible for obtaining a permanent, unrestricted Texas medical license. The Physician-in-Training Permits issued by the Texas Medical Board do not cover Trainees participating in Moonlighting activities.

C. Trainee must be appointed as a Clinical Specialist through Academic and VISA Administration: Faculty Academic Affairs (AVA:FAA) in accordance with AVA:FAA policy. See Faculty Appointments Policy (UTMDACC Institutional Policy # ACA0023) for qualifications and procedures.

D. Clinical Specialists must be credentialed and privileged by the Credentials Committee of the Medical Staff (CCMS) in accordance with Medical Staff policy. See Rules and Regulations of the Medical Staff of MD Anderson for qualifications.

1.3 External Moonlighting:

GME Trainees are permitted to moonlight outside MD Anderson under the following conditions:

A. Trainee must obtain the written consent of the Program Director.

B. The Trainee is responsible for obtaining a permanent, unrestricted medical license. The Physician-in-Training Permits issued by the Texas Medical Board do not cover Trainees participating in Moonlighting activities.

C. MD Anderson professional liability insurance (PLI) does not cover Trainees engaging in external Moonlighting.

D. Any Trainee engaging in external Moonlighting may not represent himself or herself as an MD Anderson physician.

1.4 GME Trainees with non-immigrant status:

GME trainees sponsored on visas while appointed at MD Anderson are ineligible to participate in Moonlighting activities.

2.0 Qualifications and Limitations for NPCE Trainees

2.1 Moonlighting:

A. All NPCE training programs must provide their Trainees with written criteria regarding Moonlighting policy and procedure.
B. Should the Program Director decide to permit Moonlighting, the program Moonlighting policy statement must include:

- Moonlighting is a voluntary activity and must not be a requirement of the training program.
- Scope of allowable Moonlighting (i.e., whether or not external Moonlighting is permitted, or limited to internal Moonlighting opportunities only).
- Trainees must have written approval from the Program Director in order to participate in Moonlighting activities. The approval is to be kept in the Trainee’s file.
- Trainees engaging in Moonlighting activities must adhere to the institution’s 80-hour work week, if required by the training program, as defined in the Duty Hours and Working Environment Policy (UTMDACC Institutional Policy # ACA0086).
- Moonlighting hours are monitored.
- Trainees must report Moonlighting hours worked through the mechanism designated for reporting regular duty hours.
- Trainees must not let Moonlighting interfere with their educational and clinical responsibilities.
- The Program Director has the authority to withdraw approval at any time.

2.2 Internal Moonlighting:

NPCE Trainees are permitted to moonlight inside MD Anderson; however, the following conditions are required:

A. Trainees must obtain the written consent of the Program Director.

B. The Trainee is responsible for obtaining authorization from appropriate State of Texas agency.

C. NPCE Trainees must be credentialed and privileged by the Credentials Committee of the Medical Staff (CCMS) in accordance with Medical Staff policy. See Rules and Regulations of the Medical Staff of MD Anderson for qualifications.

2.3 External Moonlighting:

NPCE Trainees may be permitted to moonlight outside MD Anderson; however, the following conditions are required:

A. Trainees must obtain the written consent of the Program Director.

B. State agency authorization for patient care at MD Anderson does not cover NPCE Trainee practitioners participating in external Moonlighting activities. The Trainee is responsible for obtaining authorization from appropriate State of Texas agencies to practice at another institution.

C. MD Anderson liability insurance does not cover Trainees engaging in external Moonlighting.
D. Any Trainee engaging in external Moonlighting may not represent himself or herself as an MD Anderson health care provider.

E. Additional requirements may be required by the training program.

2.4 NPCE trainees with non-immigrant status:

NPCE trainees sponsored on visas while appointed at MD Anderson are ineligible to participate in Moonlighting activities.
ATTACHMENTS/LINKS

Rules and Regulations of the Medical Staff of MD Anderson.

RELATED POLICIES

Duty Hours and Working Environment Policy (UTMDACC Institutional Policy # ACA0086).
Faculty Appointments Policy (UTMDACC Institutional Policy # ACA0023).

JOINT COMMISSION STANDARDS / NATIONAL PATIENT SAFETY GOALS

None.

OTHER RELATED ACCREDITATION / REGULATORY STANDARDS

None.

REFERENCES

None.
POLICY APPROVAL

Approved With Revisions Date: 04/15/2014
Approved Without Revisions Date:
Implementation Date: 04/15/2014
Version: 26.0

RESPONSIBLE DEPARTMENT(S)

Academic & Visa Admin: Trainee & Alumni Affairs