

# **VCU Health System**

## **Division of Cardiology Moonlighting Policy**

The moonlighting policy for fellows in the Cardiology Fellowship Program of the Virginia Commonwealth University Health System (VCUHS) follows requirements established by the Accreditation Council of Graduate Medical Education (ACGME). It is the Program Director's responsibility to develop program-specific moonlighting policies and criteria for participation. These program-specific policies may be more restrictive than the GME policy but not less restrictive. Program Directors may prohibit moonlighting for all residents in his/her program but cannot require it. Program specific policies must include rotations during which moonlighting is permitted for each year of the curriculum and the maximum number of hours fellows are allowed to moonlight during any two week pay period. The institution will only provide reimbursement for up to 24 hours of internal moonlighting per two week pay period. If moonlighting is allowed, the procedures specified below must be followed.

### **Background**

Moonlighting is the fellow's participation in any clinical activity that occurs outside of the fellowship training program. Two types of moonlighting are recognized:

1. External moonlighting activities: These are clinical activities occurring outside of the auspices of VCU Health System. VCU Health System does not provide malpractice coverage for such activities, nor are such activities covered by the resident's training license. The resident is responsible for obtaining appropriate and necessary licenses and malpractice coverage. Fellows must submit to the program as well as GME a copy of the malpractice coverage for moonlighting facility to covers the fellow during his/her moonlighting. They must also complete the VCUHS moonlighting request form and submit to the Fellowship Program as well as GME for approval signatures.
2. Internal moonlighting activities: Internal moonlighting activities are optional clinical activities based at VCUHS and its affiliates (e.g., Richmond Veterans Administration Medical Center) providing additional learning opportunities for a fellow beyond the minimum requirements established by an RRC. Residents participating in these activities must have a full Virginia license and must work under the supervision of a faculty member at all times. A resident may not bill for any services provided, and, similar to required fellow rotations, his/her scope of practice is based upon level of training and experience as defined in departmental policies.

Fellowship programs normally require the full time efforts of participating fellows. Moonlighting activities, whether internal or external, may be inconsistent with sufficient time for rest and restoration to promote the residents' educational experience and safe patient care. Therefore, institutions and program directors must consider all moonlighting requests carefully and closely monitor all moonlighting activities.

### **Departmental Policies**

Each residency training program must have a specific departmental policy on moonlighting. Each department's policy must be consistent with this general institutional policy, and with the relevant general and special requirements of its ACGME Residency Review Committee (RRC). Departmental policies must specifically state whether their residents may moonlight. Only residents in good academic standing should be considered for the privilege of moonlighting. If residents are allowed to moonlight, the

policy must also specify those levels of training (PGY4-6) for which moonlighting is permitted, whether there is a defined upper limit of duty hours for regular duty and moonlighting combined, and whether internal or external moonlighting is allowed. The departmental policy should also address the process and consequences should the resident or fellow be found to be in violation of the departmental or institutions moonlighting policies or if moonlighting is thought to be interfering with the performance of residency or fellowship responsibilities.

The Division of Cardiology will allow moonlighting by Cardiology fellows provided that the criteria in this document are strictly adhered to. Cardiology fellows at all levels of training (PGY 4-6) will be permitted to moonlight as long as this activity does not interfere with their responsibilities at MCVH/VCU or its affiliates. In case of conflict, MCVH responsibilities will be given priority without exception. The Division of Cardiology demands that your combined training hours and your moonlighting hours will at no time exceed the 80 hour duty limitations. As previously mentioned, MCV/VCUHS does not cover malpractice for any moonlighting/practicing activities outside of your training.

### **Approval of moonlighting activities**

1. Residents must request approval from the program director before engaging in moonlighting activities. Moonlighting must not occur before specific approval is granted. Approval for moonlighting is time-limited, and is granted for 6 months at a time.

July 1 through December 31  
January 1 through June 30

Any approvals made during either period, will need to be re-approved from the following period, no matter the original date of approval. This will apply for off-cycle fellows as well.

Permission to moonlight must be documented in New Innovations and updated every six months. The resident who wishes to moonlight must provide the Program Director with a separate, written request form (see Attachment 1) for each moonlighting activity. This request must contain the following items: place, statement of duties and estimated number of hours per week for each moonlighting activity. In applying for approval for moonlighting activities, the resident understands and agrees that outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, early departure, refusal to travel, refusal to work overtime or different hours, or refusal to accept additional assignments.

The attached approval form must be submitted to the GME Office representative, Martha Ecker at [mecker@mcvh-vcu.edu](mailto:mecker@mcvh-vcu.edu), before a fellow moonlights for the first time. Once the request is approved/signed by the Director or GME (Dr. Mary Alice O'Donnell), a GME office representative will enter the date into New Innovations.

2. Professional liability insurance (malpractice) provided as a benefit to each resident covers only the performance of his/her duties in the training program and includes approved internal moonlighting but does not cover external moonlighting activities. VCUHS is not responsible for the cost of additional professional liability insurance or any other costs related to external moonlighting. The resident should attach to the request form written evidence of insurance coverage (malpractice) for moonlighting activities. (Note: Moonlighting at the Richmond VA Medical Center does not require malpractice insurance.)

3. The resident must provide evidence of full and unrestricted licensure with their written request to participate in moonlighting activities. The training license (limited license) is not adequate.

A copy of the moonlighter's **current full Virginia medical license** must be on file in the GME Office for the approval to move forward. This applies to both in-house and outside moonlighting.

4. The Program Director should consider the moonlighting request and take into account the following questions when making a decision:

- a. Is the resident in good standing in the program?
- b. Does the resident have a record of poor job performance, attendance problems, or excessive use of leave?
- c. Will the proposed moonlighting activity interfere with the clinical or educational activities of the fellowship?
- d. Does the proposed moonlighting activity have the potential to cause undue fatigue?
- e. Will the proposed moonlighting activity cause the resident to violate ACGME standards on duty hours, including total duty hours, time off between work periods, or one day off in seven?
- f. Is the proposed moonlighting activity commensurate with the level of training, experience and competence of the requesting resident?

5. If the Program Director approves the resident's request, he or she should concur by signing the statement of permission on the request form. The request form with approval signature is made a part of the resident's permanent file.

6. The resident must inform the outside employer that the fellowship is of top priority. The outside employer must agree to accommodate the residency or fellowship schedule and avoid schedule conflicts; in addition, the outside employer should have no expectation that the resident will be available to work during his or her scheduled duty hours at MCVH and its affiliated institutions.

7. It is the resident's responsibility to notify his or her Program Director of any changes in moonlighting (place, hours, duties) and to obtain approval for such changes.

### **Oversight of moonlighting**

1. Because residency education is a full-time endeavor, the program director must ensure that moonlighting does not interfere with the ability of the resident to achieve the goals and objectives of the educational program. If moonlighting is permitted, the residents' performance must be monitored for the effect of these activities upon performance. The Program Director may prohibit or rescind approval of any moonlighting activity if he/she believes that the resident's performance or learning is suffering, patient care is in jeopardy, undue fatigue has resulted, or other substantive issues have arisen.

2. Time spent by residents in Internal and External Moonlighting (as defined in the ACGME Glossary of Terms) must be counted towards the 80-hour Maximum Weekly Hour Limit. The resident has primary responsibility for ensuring that he/she maintains compliance with work hour rules at all times.

3. If moonlighting activities create resident fatigue sufficient to jeopardize patient

care, the resident should be sent home to rest. Back-up support systems must be provided by the training program in these circumstances.