GRADUATE TRAINEE MOONLIGHTING POLICY
Policy regarding professional activities outside the scope of the educational program

Note: Sections of this policy highlighted in **bold italics** apply to graduate trainees in programs accredited by the ACGME (Accreditation Council for Graduate Medical Education).

This policy addresses professional activities that you may undertake as a physician that are outside the scope of your graduate medical education program, hereinafter referred to as "moonlighting".

As a graduate trainee, your training experience and responsibilities must have your highest professional priority at all times. All clinical trainees must be available, alert and fully responsive and responsible for all of their clinical and training activities at the Hospital(s); no activities outside the scope of the training program should interfere with these learning opportunities and their attendant service responsibilities.

Given the clear priority of training, the leadership of each program decides whether its training requirements are compatible with any professional activities outside the scope of the training program. The Chief of Service has the right to prohibit all types of moonlighting for his/her trainees.

**Activities outside the scope of the training program:**
Work within the institution (as well as at other health care institutions) is considered moonlighting if it is not part of your residency or fellowship program and is therefore optional and separately paid. This definition pertains even if the work is supervised by attending physicians and even if it is identical to activities that are part of your residency or fellowship program.

- **Moonlighting cannot be required of you by your program director or Chief of Service.**
- **PGY-1 residents are not permitted to moonlight.**

If you wish to engage in such activities and your Chief does not prohibit participation in such additional professional activities, you must accomplish the following steps:
1. You must obtain a full Massachusetts medical license.
2. Prior to accepting any moonlighting responsibilities, you must submit to your Chief and/or program director in writing a letter listing the institutions for moonlighting activities, the scope of the proposed activities and the maximum number of hours (per week and per month) of proposed moonlighting (template provided below).
3. You must receive from the Chief and/or program director a signed copy of the letter, indicating permission to proceed.
   - It is the responsibility of the moonlighting trainee to update this letter (and have it signed again by the Chief and/or Program Director) when necessary to reflect proposed changes to the number of hours spent in moonlighting activities and/or the sites where moonlighting occurs.
- It is the responsibility of the program director to ensure that a copy of this letter is kept in your file, as required by the ACGME.

- No outside professional activities may be undertaken during the weekday hours of 8:00 a.m. to 6:00 p.m. (except during vacation periods) without the express written permission of the Chief and/or program director.

4. You must arrange for your own malpractice insurance to cover professional activities outside the educational program through: (a) the institution at which you will be moonlighting; (b) Promutual; or (c) extension of your CRICO insurance, which may be approved in specific circumstances as described below.

If you are permitted to engage in professional activities described as moonlighting, you should be aware that the effect of these activities upon your performance in the training program will be monitored; any adverse effects may lead to withdrawal of permission to moonlight by your training program director or Chief of Service.

You should be aware that, under Massachusetts Board of Registration in Medicine regulations, you will be required to list on your Hospital re-appointment application form all health care facilities at which you have provided any patient care over the previous three years.

Please note: In addition to the parameters outlined in this policy, most residents and fellows employed on a J-1, H-1B or O-1 visa are ineligible to moonlight or have further restrictions imposed by the Immigration and Naturalization Service (INS) and must abide by their policies. See last section below for details.

Authorized use of CRICO Malpractice Insurance

You are generally covered for malpractice through the Controlled Risk Insurance Company (CRICO) only for activities performed within the scope of your formal training program at the Massachusetts General Hospital, the Brigham and Women’s Hospital and defined affiliates. CRICO will extend coverage in some specified circumstances. You must refer to the CRICO Insurance Manual for details and must comply with the required procedures for extending coverage.

PGY-1 and -2 Residents: CRICO will not extend malpractice insurance for PGY-1 or PGY-2 interns/residents.

PGY-3 Residents: If your Chief/program director authorizes you to moonlight, you may request that your CRICO malpractice insurance cover such professional activities outside the scope of the educational program.

Moonlighting within the Harvard medical system: CRICO coverage requires that there is an exchange of letters between the Chief of Service at the institution where the resident is scheduled for malpractice insurance and the Chief of Service where the resident plans to moonlight.
Moonlighting outside the Harvard medical system: The following additional criteria articulated by CRICO must be met:

1. There must be an exchange of permission letters between the Chiefs of Service at the training institution and the moonlighting site(s);
2. A moonlighting waiver form and checklist must be signed by your Chief “for each rotation during which extended coverage is requested”;
3. You may moonlight “only during research rotations, subspecialty rotations and other rotations with lighter clinical call. Residents who moonlight during research rotations must remain on the schedule of insured physicians maintained by the Named Insured”;
4. You “may not moonlight in an emergency room outside the Harvard medical system unless enrolled in the Harvard Affiliated Emergency Medicine Residency Program. If a resident is enrolled in this program, the guidelines stipulated for fellows will apply”;
5. You “may not exceed the maximum number of hours per week that the [resident’s] hospital has defined….”;
6. You must fully complete and sign the “3rd year resident” waiver form and complete the application procedure as defined in the CRICO Insurance Manual.

PGY-4 (and above) Residents:
As above for PGY-3 residents, except that numbers 2, 3 and 6 under “Moonlighting outside the Harvard medical system” do not apply.

Fellows: CRICO insurance coverage may be extended to fellows for services outside the scope of their hospital training, within or outside of the Harvard medical system, with the express written approval of the Chief of Service as evidenced on the appropriate waiver form. Additional criteria apply for fellows moonlighting in emergency rooms outside of the Harvard medical system; please consult the CRICO Insurance Manual for details.

Note: The above requirements apply only to moonlighting at Massachusetts hospitals. CRICO may cover moonlighting outside of Massachusetts in some circumstances; please check the CRICO Insurance Manual for details.

Moonlighting information for international medical graduates (Holders of F-1, J-1, H-1B or O-1 Visas):
• F-1—Practical Training: Eligible to moonlight.
• J-1—Exchange visitor: Activity and/or compensation outside the defined parameters of the approved residency or fellowship training program is not permitted.
• H-1B: Employer-specific and limited to the position and duties included in the employer's application to INS. The H-1B visa application may include services provided at multiple locations, provided that the application includes mention of said multiple locations. Employment with a separate employer (i.e., most moonlighting) exceeds a typical H-1B application. An outside employer who wishes to employ a "moonlighter" must file an application with INS to employ the resident or fellow.
• O-1—Alien of Extraordinary Ability: See restrictions described for the H-1B visa.
Dear Dr. ___________ (Chief) and Dr. ________________ (Program Director):

Date: ______________

I hereby request permission to engage in professional activities outside the scope of my residency/fellowship training program (i.e., "moonlighting"). Specifically, I request permission to work at the following health care facilities:

(Note: include "home" institution/s, if applicable)

1) ______________________________________
2) ______________________________________
3) ______________________________________
4) ______________________________________

I will limit the hours of moonlighting to a maximum of ___ per month, and will not allow my duty hours (i.e., the sum of time spent in the training program plus time moonlighting) to exceed limits set by the program director and by the ACGME and the ____________ [insert (sub)specialty] RRC. The RRC duty hours requirements include: _______________ [to be copied from the RRC Program Requirements]. I recognize that the residency/fellowship program is my highest professional priority and I will not let additional professional activities interfere with this. I have read and understand the Partners Graduate Trainee Moonlighting Policy and will abide by it.

Sincerely,

(Signed by Graduate Trainee)      (Date)

Approved by:

(Chief and/or Program Director)     (Date)

As required by the ACGME, the program director must ensure that a copy of this letter is kept in the trainee's file.