



THE INSTITUTE  
FOR  
FAMILY HEALTH

**INSTITUTE FOR FAMILY HEALTH  
POLICY/PROCEDURE STATEMENT  
FOR GRADUATE MEDICAL EDUCATION**

**Policy/Procedure Title: MOONLIGHTING**

**ACGME Policy: IRQ Part 3 IV.J.1**

**Revision Date: March 8, 2022**

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**POLICY**

Any resident or fellow who is working an average of 80 hours per week over a four-week period within a resident or fellowship training program is prohibited by the New York State Health Code, Part 405.4 from working at any other job as a physician providing patient care services (moonlighting).

For the purpose of this policy, “moonlighting” includes any non-residency or fellowship work or academic activities, including non-medical work or enrollment in an outside educational program, whether a degree is granted or not.

Moonlighting does not replace any part of the clinical experience that is required of residency or fellowship training and may not interfere with training. Residents and fellows are not required to engage in moonlighting as part of their educational experience or terms of contract.

**PROCEDURE**

1. Residents and fellows may not moonlight without the prior written approval of the Program Director.
2. A resident or fellow who wishes to moonlight outside the scope of his or her training program must submit a written request to the Program Director describing:
  - Location of the planned moonlighting site
  - Scope of the moonlighting practice
  - Expected work or academic hours
  - Expected responsibilities
  - Type of supervision
  - Verification of malpractice coverage (Institute malpractice coverage does not cover moonlighting)

Approval will be contingent upon academic good standing, as determined by the program director.

3. Any resident or fellow who is found to be moonlighting without having notified and gained the Program Director's prior written approval will be subject to disciplinary action.

4. For the duration of moonlighting, the resident or fellow must provide a planned work schedule for all moonlighting activities, taking into account rotation requirements and assuring compliance with the 405.4 regulations.
  5. Scheduling requests have to be signed off by the Chief Resident(s) as applicable and the program's administrator.
  6. If a resident or fellow is needed for program coverage (e.g. for back up, sick-call, other emergencies) during a moonlighting shift, the resident or fellow will be required to cover the staffing needs of the program over moonlighting activities.
  7. Residents and fellows must remain in good standing with the program at all times while moonlighting as certified by their advisor, administrator, and program director.
  8. The resident or fellow's performance will be monitored to assess the effect of the moonlighting activities on performance. Adverse effects will lead to withdrawal of permission to moonlight.
  9. Duties and procedures performed during moonlighting cannot be utilized to fulfill procedural and/or patient care requirements of the training program.
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Approved By:  Date: 3/8/2022  
Designated Institutional Official