



## School of Medicine Policy

Policy Number: GME 18  
Effective Date: 5/16/24

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Policy Title: Work outside of the training program (Moonlighting)

SCOPE: This policy applies to House Officers in ACGME-Accredited training programs.

Background: The term “moonlighting” is used in various contexts; for the purposes of this policy “moonlighting” is defined in the same manner as the ACGME Glossary defines it: Voluntary, compensated, medically related work performed beyond a resident’s or fellow’s clinical experience and education hours and additional to the work required for successful completion of the program.

OHSU GME is committed to excellence in the training of its residents and fellows. To this end, the primary responsibilities of OHSU residents and fellows must be to their own training and to the patients they serve. Outside work or “moonlighting,” must not conflict with these responsibilities.

Work outside the training program includes three categories:

1. Non-Clinical Moonlighting
2. External Moonlighting
3. Internal Moonlighting

### Definitions:

- **Non-clinical moonlighting (OHSU GME):** Non-clinical work that is outside the scope of the approved training program. Examples include consulting, teaching or working as a teaching assistant for a course, or research work that is not part of the training program. No program/academic credit is given for these activities; they are voluntary and compensated.
- **External moonlighting (ACGME):** Voluntary, compensated, medically related work performed outside the site where the resident or fellow is in training and any of its related participating sites.
- **Internal moonlighting (ACGME):** Voluntary, compensated, medically related work performed within the site where the resident or fellow is in training or at any of its related participating sites; will vary by program due to the unique nature of each program’s block diagrams and participating sites.
  - **In-scope (OHSU GME):** Required experience that is on a program’s block diagram and in rotation Goals and Objectives for a house officer’s postgraduate year.
  - **Out-of-scope (OHSU GME):** Experience not on a program’s block diagram or in the rotation goals and objectives.
- **Participating site (ACGME):** An organization providing required educational experiences or educational assignments/rotations for residents/fellows of one month or more.
- **Non-participating site (OHSU GME):** An organization that does not meet the definition of participating site.
- **Voluntary:** done of one’s own free will, not required as part of training or in any way related to successful completion of the program.
- **Compensated:** done for pay/compensation; not volunteer work
- **Medically related:** can be clinical or non-clinical work.

**ACGME** notes definitions from the ACGME.

**OHSU GME** notes definitions from OHSU GME.



**Policy Statement:**

Oregon Health & Science University (OHSU Health) Sponsoring Institution permits house officers from all departments to engage in work outside the training program provided that they are eligible, in good standing with their program, and that such activities do not interfere with the responsibilities, duties or assignments of their training program. Approval is contingent on Outside Work activities complying with all OHSU policies and applicable State law.

A house officer who wants to participate in additional non-clinical work, internal moonlighting and/or external moonlighting must complete the Request for Approval of Work Outside of the Training Program form located at the end of this Policy and submit it to the GME Office.

All Outside Work must be approved in writing by the house officer's Program Director and the GME Office PRIOR to engaging in any Outside Work activities. (ACGME IR IV.K.1.b) The GME Office (on behalf of the Sponsoring Institution) or the individual ACGME-accredited programs may prohibit moonlighting by house officers. (ACGME IR IV.K.1.d).

1. OHSU follows all ACGME Institutional and Common Program Requirements. Those specific to this policy can be found in **Appendix A**.
2. OHSU Institutional Requirements for Moonlighting:
  - All resident/fellows wanting to engage in moonlighting must complete and have approved an OHSU Request for Approval of Work Outside of the Training Program form prior to moonlighting.
  - Moonlighting hours must be entered into the Residency Management System (RMS) work hours' log.
  - House officers' moonlighting activities must not be included in RMS schedule block or rotation schedules.
  - House Officer must have an unlimited License for the appropriate clinical location regardless of where they moonlight, including OHSU.
  - Approval of any Outside Work activities will expire on the same date as the house officer's unlimited license expires. The house officer must submit a new request to participate in such activities whenever there is an unlimited license renewal.
  - Additional requirements exist for moonlighting at non-OHSU or OHSU affiliated sites. Those details are in Appendix B. Arrangements with non-OHSU facilities for moonlighting will be made between the House Officer and the facility. OHSU is not a party to such agreements.
3. Internal Moonlighting Requirements: voluntary, compensated, medically related work performed within the site where the house officer is in training or at any of its related participating sites; will vary by program due to the unique nature of each program's block diagrams and participating sites.
  - In-scope: Moonlighting within the setting of required experiences on a program's block diagram and in rotation goals and objectives for the house officer's postgraduate year **is not allowed**.
  - Out of scope: If the house officer wishes to moonlight at a participating site in a capacity that is out of the scope of their training program, this will be reviewed by the program and GME Office and the details must be described in a separate position description for which the house officer is hired.
  - Additional details:



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- Block diagrams used for these decisions refer to the program block diagram submitted through ACGME ADS for the applicable academic year.
  - House officers that are eligible to be credentialed in their primary specialty and have completed experiences described on their program's block diagram and have been deemed to have successfully completed these experiences by their Clinical Competency Committee may be eligible for this experience to be considered out of scope.
  - Independent Practice - Independent Practice is not moonlighting. It refers to someone who is board eligible in their primary specialty and is practicing the primary specialty as part of an approved experience in their fellowship, and NOT moonlighting as defined by the US Centers for Medicare and Medicaid Services (CMS). Please see Independent Practice Process for further details.
    - Time spent in independent practice will be clearly delineated as part of the fellowship and must not overlap with moonlighting experiences but will not preclude a fellow from moonlighting in their primary specialty.
4. OHSU Institutional Requirements for non-clinical moonlighting:
- All house officers wanting to engage in non-clinical moonlighting must complete and have an approved OHSU Request for Approval of Work Outside of the Training Program form prior to engaging in the additional activity.
  - Non-clinical work hours must be entered into the RMS work hours' log.
  - House Officers' non-clinical work activities must not be included in RMS block or rotation schedules.
  - House Officers must have an unlimited License for the appropriate clinical location regardless of where they moonlight, including OHSU.
  - Approval of any Outside Work activities will expire on the same date as the house officer's unlimited license. The house officer must submit a new request to participate in such activities whenever there is an unlimited license renewal.

### Limitations for Visa Holders:

House Officers with visas sponsored by the Educational Commission for Foreign Medical Graduates (ECFMG) or OHSU are subject to the following limitations:

- J-1 Visas: Compensation for activities outside the scope of the training program, whether clinical or non-clinical in nature, is not permitted for J-1 physicians. Under the US Code of Federal Regulations governing the Exchange Visitor Sponsorship Program, J-1 Exchange Visitor physicians sponsored by ECFMG. H-1B Visas: H-1B visas are both position and employer specific. Therefore, moonlighting, extra work, or additional non-clinical work is permitted on an H-1B Visa issued for the training program only on a case-by-case basis, and the activity must be included in the petition to USCIS.

Limitations for military-hired house officers:

House officers employed by the military are not eligible to participate in any work outside their program (including moonlighting).



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**Policy Owner:** Graduate Medical Education Committee

**Amendment/Approving Committee:** Graduate Medical Education Committee

### Additional Resources

Form/Document	Use	Links

### Version control

Version	Effective Date	Author	Description of Change
1	4/22/2010		Original
2	8/15/2019	Emily Baird, Daniel Tu, Thomas Phillips	Revision
3	5/16/2024	GMEC	Revision to clarify definitions and preserve the integrity and educational oversight of ACGME accredited training programs.



### Appendix A: ACGME Institutional and Common Program Requirements

- Residents/fellows cannot be required to engage in moonlighting.
- Residents/fellows must have written permission from their program director to moonlight
- The training program will monitor the effect of moonlighting activities on a resident's/fellow's performance in the program, including that adverse effects may lead to withdrawal of permission to moonlight
- Moonlighting must not interfere with the ability of the resident/fellow to achieve the goals and objectives of the educational program and must not interfere with the resident's/fellow's fitness for work nor compromise patient safety.
- Time spent by residents/fellows in internal and external moonlighting must be counted toward the 80-hour maximum weekly limit
- The Sponsoring Institution or individual programs may prohibit moonlighting by its residents/fellows.
- PGY-1s are not allowed to moonlight.

### Appendix B: Requirements for moonlighting at a non-OHSU or OHSU affiliated site (including HMC, VA, Adventist)

- Liability Coverage: OHSU liability coverage does not apply to moonlighting activities outside of OHSU. House officers who engage in activities are responsible for verifying that they have appropriate coverage.
- Medical Licensure: House officers engaging in moonlighting activities at non-OHSU or OHSU affiliated sites must meet the licensure requirements of the state in which the moonlighting activities will occur. House officers are required (by ACGME requirements) to hold a full medical license in Oregon or appropriate clinical location when moonlighting.
- DEA Registration: House officers who engage in moonlighting at non-OHSU or OHSU affiliated sites must obtain an individual DEA registration if required to prescribe during this activity.

#### At non-OHSU participating sites:

Medical Licensure: House officers are required to hold an unlimited medical license in Oregon or appropriate clinical location.

Approval by PD and GME

Professional fee Billing: Determined by position description

Liability Coverage: OHSU professional liability coverage may or may not apply to internal moonlighting activities. This is determined on a case-by-case basis and documented in the position description.