

University of Colorado School of Medicine

Graduate Medical Education

Policy: Moonlighting Policy		
Original Approval: May 21, 2003	Effective date: July 1, 2003 June 23, 2011	Revision Date: January 12, 2005 April 16, 2014 (Editorial) November 6, 2019 (Editorial) April 21, 2021

In this document, Residents refer to Residents and Sub/specialty Fellows.

Purpose

To ensure that moonlighting activities are consistent with policies and guidelines set forth by the Accreditation Council for Graduate Medical Education (ACGME) and Graduate Medical Education (GME). The moonlighting activity must be within the ACGME Core Specialty for which the resident is board eligible or board certified.

Definitions:

External Moonlighting - Any medically-related professional activity that takes place at hospital, clinic, business, or other practice site that is **not** a site of practice for the training program.

Internal Moonlighting – Any medically-related professional activity that takes place at a hospital, clinic, business, or other practice site that **is** also a site of practice for the training program.

ACGME Accredited Residents:

Moonlighting activities must be outside the course and scope of the GMEC-approved training program.

Professional fees can be billed for moonlighting activities **in any setting (inpatient or outpatient)** provided the trainee possesses an active full Colorado Medical License, and the services are identifiable physicians' services that meet the conditions of payment for physicians' services in the Federal Register § 415.102(a).

Non-ACGME Residents:

Professional fees can be billed for moonlighting in any setting within the scope of the Resident's medical license and provided there is proof of malpractice insurance.

Policy

The Graduate Medical Education Committee (GMEC) recognizes that moonlighting is not an activity associated with part of the formal educational experience. Residents must not be required to participate in moonlighting activities. Individual programs may prohibit moonlighting by its Residents. The Program Director will monitor the effect of moonlighting activities on a Residents performance in the program, including adverse effects which may lead to withdrawal of permission to moonlight. Moonlighting must not interfere with the ability of the Resident to achieve the goals and objectives of the educational program.

Residents must meet the following requirements:

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1. Residents must obtain annually, prior written approval to perform specific duties/procedures in a moonlighting environment from the Program Director. (Complete the Approval for Resident Moonlighting request form and return to the GME office).
2. Residents seeking permission to moonlight must possess a valid license to practice medicine in the State of Colorado. A “Physician Training License” does not meet this requirement. For additional information, see Colorado Revised Statutes Article 36, also known as the Medical Practice Act.
3. Residents seeking permission to moonlight must secure professional liability (malpractice) insurance coverage apart from that provided to Residents as part of the formal academic training program. Coverage provided Residents as referred to in the residency contract do not include activities occurring as part of a moonlighting experience. To have professional liability insurance through the University Trust:
 - Residents must have a secondary appointment through their CUSOM Department as an Instructor/Fellow.
 - The moonlighting site must be on the CU Medicine Site of Practice list for the relevant department.
4. Time spent by Residents in Internal and External Moonlighting must be counted toward the 80-hour Maximum Weekly Hour Limit as required by ACGME.
5. PGY-1 Residents are not permitted to moonlight.
6. Residents possessing a J-1/H1-B visa are not eligible to moonlight.
7. The Resident must be in good standing (not on Focused Review nor Probation or having significant performance issues).
8. Residents with prior permission to moonlight will have that permission revoked by the Program Director if academic performance is determined to no longer be at a satisfactory level, e.g., probation or other major concerns arise.
9. Residents continuing to moonlight following revocation of permission can be dismissed from the program. This notice must be contained in documentation placing the Resident on probation.
10. The obligation to notify an outside employer of revocation of moonlighting permissions is the responsibility of the Resident who established that employment relationship, not the responsibility of the University or training program.

Approval for Moonlighting

1. Residents must annually seek approval to moonlight and obtain the required written approval by completing the Approval for Resident Moonlighting request form, accessible via [MedHub Home](#) > *GME Resources and Documents*.
2. Both the Program Director and GME Associate Dean must complete and sign the form prior to the Resident engaging in moonlighting activities. A copy of the completed approval form will be sent to the Program Director by the GME staff upon completion.
3. Programs must maintain a copy of the completed form in the Resident’s permanent file.
4. Programs must maintain an ongoing record of all moonlighting approvals for all Residents and this record may be reviewed along with the individual approval forms at the time of a Special Review by the GME staff, or an ACGME site visit.