

MOONLIGHTING

Moonlighting is defined as any participation in a medical practice or employment of any kind other than pursuant to that stated in the “Graduate Staff Agreement of Appointment/Employment”. Residents may not moonlight during the time they are scheduled to work as a resident.

As mandated by the ACGME, residents and fellows *must not be required* to engage in “moonlighting”. In addition, at a minimum, only PGY-2’s and above are potentially eligible for moonlighting.

Residents and fellows who elect to participate in such activity, must obtain prior written permission from the program director (see attached request form) indicating that he/she is aware of where, and during which hours, the resident is moonlighting. The program director must also be notified in writing of any proposed change in the number of hours and the resident must receive written permission prior to this change. The “Moonlighting Request Form” must be submitted to the Office of Graduate Medical Education for approval by the Designated Institutional Official (D.I.O.), and all other required Human Resources paperwork prior to commencement of moonlighting activities. This information must be made part of the resident’s folder and a copy kept on file. In addition, one must abide by the individual program’s policies and procedures regarding moonlighting.

All residents/fellows moonlighting privileges must be reviewed and signed off annually by the Program Director and/or Chair of the Department. Therefore, all moonlighting requests can only be granted for a one year period.

During the course of the year, the Program Director and/or Chair have the right to withdraw their permission for moonlighting at any time. They can also withdraw permission for moonlighting if they see signs of fatigue which may jeopardize patient care or the resident’s/fellow’s safety or well-being.

J-1 Visa: A J-1 Visa sponsorship authorizes a specific training activity and associated financial compensation. As specifically stated by ECFMG, “Federal Regulations prohibit work, training, and/or financial compensation for activities that are outside of the approved Exchange Visitor Program”, therefore, a J-1 visa holder is *expressly prohibited* from moonlighting.

H-1B Visa: An H-1B Visa holder will be eligible for moonlighting privileges *only* if the prospective Hiring Entity files an H-1B petition for concurrent employment. An H-1B visa holder is eligible to request a concurrent H-1B petition only if the Program Director and D.I.O. approves moonlighting privileges. Upon notification from the Immigration Service of the H-1B concurrent submission to USCIS, the resident may commence moonlighting after approval of the program director and the D.I.O.

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NewYork-Presbyterian Queens
Sites: All Centers
Hospital Policy and Procedure Manual
Policy Number: 9200-207
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All residents/fellows engaged in moonlighting *must* obtain a *valid limited permit* or *NYS license* to practice in the institution in which they will be moonlighting.

If moonlighting activities are outside of NewYork-Presbyterian/Queens, residents/fellows must provide proof that they are licensed for unsupervised medical practice and obtain adequate liability coverage before commencement of moonlighting activities.

It is the responsibility of the institution hiring the resident to moonlight to confirm whether such licensure is in place, and whether the resident or fellow has adequate liability coverage and whether the resident/fellow has appropriate training and skills to carry out his/her assigned duties.

It is the responsibility of the program director to enforce this policy.

Moonlighting hours must be logged into the work-hour tracking system and will be counted toward work hour limits set forth in the "Resident Work Hours" policy and procedure #9200-206.

Failure to comply with this policy can result in dismissal from the program.

Approvals Obtained electronically via NAVEX Global Policy Module

Ellen Cohen, M.D.
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Chairman, Graduate Medical Education Committee
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