This policy establishes a uniform, hospital-wide criteria under which trainees with a full medical license may practice medicine outside of the formal requirements of their training program or clinical responsibilities at Boston Children’s Hospital. This policy is intended to ensure that any trainee who engages in moonlighting activities conforms to all duty hour requirements, is properly licensed by the Commonwealth of Massachusetts and is covered by medical malpractice insurance.

It is strictly the prerogative of each training program director to determine whether any moonlighting activities will be allowed, and if allowed, under what circumstances for their trainees. Each training programs’ written policy on moonlighting will be made available by the program to the residents or fellows in that program.

**DEFINITION**

A trainee “moonlighter” is a physician in a training program who elects to provide clinical service outside of the clinical service requirements and training opportunities established by the training program. Additional educational opportunities offered to trainees within a training program are addressed in a separate policy and are not considered moonlighting.

**ELIGIBILITY CRITERIA**

**Trainee Requirements:**

- **Residents** (PGY1 and PGY2) **may not moonlight** under any circumstances.

- **Residents** (PGY3 or higher) may moonlight in a Harvard or non-Harvard-affiliated institution in the specialty of the resident’s training program only with a completed Moonlighting Approval Form signed by the Resident, Residency Program Director and the Director of Moonlighting as well as an Extended Professional Liability Insurance for Moonlighting Form signed by both the Resident and their Chief of Service. Please note this form needs to be completed on an annual basis. Residents must be precepted by attending level staff when working in the emergency room.

- **Fellows** may moonlight in a Harvard or non-Harvard-affiliated institution only with a completed Moonlighting Approval Form signed by the Fellow, Fellowship Program Director and the Director of Moonlighting as well as an Extended Professional Liability Insurance for Moonlighting Form signed by both the Fellow and their Chief of Service. This form needs to be completed on an annual basis. Fellows who moonlight in an emergency room must have both PALS or ACLS and ATLS certification or attending level malpractice (This is a CRICO requirement).

- **Rotating Trainees** may moonlight after they have completed their BCH rotation provided they are fully credentialed at BCH and have met any prerequisites for moonlighting established by their home institution.

**Visa Requirements - Foreign Nationals**

- **J-1 Visa Holders:**
  
  May not moonlight under any circumstances. J-1 visa holders are ineligible for moonlighting in any form per the requirements of the ECFMG.
H-1B and O-1 Visa Holders:
Are allowed to work for multiple employers as long as each employer has filed a concurrent petition with the Immigration Service. The H-1b and O-1 visa holders may moonlight in a Harvard or non-Harvard-affiliated institution in the specialty of their training program only with a completed Moonlighting Approval Form signed by the Physician, Program Director and the Director of Moonlighting as well as an Extended Professional Liability Insurance for Moonlighting Form signed by both the Physician and their Chief of Service.

In addition, the physician requesting to moonlight and the hiring department from within CHB will need to complete an internal Labor Condition Application and submit to the Immigration Manager along with all of the required documents. Once received it will take approximately 4 weeks to be prepared and will then be submitted to USCIS. Moonlighting can begin once the application has been submitted. The cost of the Labor Condition Application will be the responsibility of the physician requesting to moonlight.

Requirements for Moonlighting Offsite
Trainees may moonlight at locations other than the Boston Children’s Hospital Longwood Campus. To moonlight offsite, trainees must receive advance written approval from their training director, possess a valid full license to practice medicine from the Massachusetts Board of Registration in Medicine, and have obtained a signed Extended Professional Liability Insurance for Moonlighting Form prior to providing any clinical services.

MONITORING OF MOONLIGHTING
It is expected that the Training Program Director will monitor their trainee moonlighting activities to ensure that moonlighting assignments are within duty hours and have no adverse effects on their education. Concerns should be brought to the Director of Moonlighting. Failure to comply with this policy may lead to withdrawal of permission to moonlight and disciplinary action.

DUTY HOURS
Moonlighting must not interfere with the ability of the resident or fellow to achieve the goals and objectives of the training program or with patient safety. The ACGME requires that hours spend moonlighting count towards the total hours worked for the week. For all ACGME-accredited training programs Children’s Hospital Boston also expects that moonlighting will not violate any of the other duty hours requirements; violations due to moonlighting will be viewed in the same light as violations during required training. For non-accredited training programs the program must have a written policy regarding when moonlighting is allowed; this policy must be approved by the GME Committee. Each training program may impose further restrictions or disallow moonlighting at the discretion of the program director.

Current duty hour requirements include:
- Duty hours must be limited to 80 hours per week, averaged over a four week period, inclusive of all in-house call activities and all moonlighting.
- Residents/fellows must be scheduled for a minimum of one day free of duty every week (when averaged over four weeks).
- Duty periods of residents/fellows at the PGY2 level and above may be scheduled to a maximum of 24 hours of continuous duty in the hospital.
- Residents/fellows should have ten hours free of duty, and must have eight hours between scheduled duty periods. They must have at least 14 hours free of duty after 24 hours of in-house duty.
- Residents/fellows at the PGY2 level and above must be scheduled for in-house call no more frequently than every-third night.
- Time spent in the hospital by residents on at-home call must count towards the 80-hour maximum weekly hour limit. The frequency of at-home call is not subject to the every-third-night limitation, but must satisfy
the requirement for one-day-in-seven free of duty, when averaged over four weeks. Returning to the hospital while on at-home call does not initiate a new duty period.

**COMPENSATION**

Compensation for moonlighting is determined by the program, consistent with all BCH policies.

**FORMS**

The Moonlighting Approval Form and the Extended Professional Liability Insurance for Moonlighting Form may be obtained on the Medical Staff Services website at: [http://web2.tch.harvard.edu/mssd/mainpageS2722P1.html](http://web2.tch.harvard.edu/mssd/mainpageS2722P1.html).

Please contact Anne Vaccaro, Moonlighter Coordinator with questions at anne.vaccaro@childrens.harvard.edu or (617) 355-5186.

*Please note: Moonlighting Approval Form and the Extended Professional Liability Insurance for Moonlighting Form must be completed on an annual basis.*

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**Policy Attributes**

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<tr>
<td><strong>Author</strong></td>
<td>Dunn, Gruskin, Noseworthy, Paradiso, Rothstein, Vaccaro</td>
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