NYU Winthrop Hospital  
Graduate Medical Education Committee  
Policies and Procedures

POLICY: HOUSE STAFF MOONLIGHTING and Extra Work for Extra Pay

PURPOSE:

As per ACGME requirements, institutions may not require residents to engage in moonlighting or extra work for extra pay activities. Those who choose to moonlight or engage in extra work for extra pay activities must adhere strictly to hospital policy and procedures. This policy outlines the circumstances under which moonlighting and extra work for extra pay may and may not occur. For the purposes of this document the term “resident” or “house staff” refer to a resident or subspecialty fellow.

For the purpose of this policy, “extra work for extra pay” refers to any instance where the house staff is working as a physician or health care provider within the authorized training program. In this case, the house staff member must be supervised at all times and all activities must fall under the scope of their training program. This activity does not require a license because the house staff is working under the role of a resident or fellow and therefore training at all times. House staff are not permitted to bill independently for any patient care services rendered during extra work for extra pay activities.

Examples of extra work for extra pay activities:
- Residents or Fellows covering an extra call or an extra weekend shift within their training program while fully supervised by an attending

“Moonlighting” is defined as any instance when a house staff member is working outside the authorized training program. House staff are required to have an independent license and proof of malpractice coverage prior to starting moonlighting activities.

Examples of moonlighting:
- A resident working as a hospitalist at another institution
- A resident or fellow working in an ambulatory urgent care center or emergency department outside of NYU Winthrop Hospital

POLICY:

House Staff who choose to moonlight or engage in extra work for extra pay activities must obtain prior approval from their Program Director.

House Staff who have worked the maximum number of hours permitted under the Duty Hours provisions of the ACGME and New York State are prohibited from working additional hours as physicians providing professional patient care services. House Staff who have worked fewer than the maximum hours permitted may not exceed this maximum in their NYU Winthrop and dual employment (moonlighting or extra work for extra pay) duty hours combined. Moonlighting and extra work for extra pay hours must be included in any duty hours logging or reporting mechanisms.
Program Directors must ensure that moonlighting and extra work for extra pay activities do not interfere with the ability of a resident or fellow to achieve the goals and objectives of the educational program. The program director must monitor for any negative effects of moonlighting and extra work for extra pay activities upon resident performance and communicate to the resident that adverse effects may lead to withdrawal of permission.

House Staff who engage in moonlighting or extra work for extra pay activities without advance written permission are subject to dismissal.

**Procedures:**

Early each academic year the Office of Academic Affairs sends every member of the house staff a *Moonlighting and Extra Work for Extra Pay Application*. The residents who intend to moonlight or schedule extra work for extra pay must complete and submit the required application to their Program Director. The resident must submit a new application if there is any change in time commitment, or if there is a new site. Copies of the applications are maintained in the residents’ personnel files in Academic Affairs, as well as in the Program’s files.

House Staff will be informed that for moonlighting activities, they are not covered by NYU Winthrop’s professional liability insurance. In order to moonlight the resident must be licensed for unsupervised medical practice in New York State. Members of the house staff who hold J-1 or H1 visas are not eligible to moonlight, as per INS regulations.

*NYUWH GMEC*: Reaffirmed 2/5/07, Revised and Approved 12/10/12, 6/6/16, 7/16/18