



# Cherokee Nation Health Services Medical Residency Program - Resident Moonlighting

Version: 3	Initial Approved Date: 7/25/2019
Last Revision Date: 5/30/2025	Next Review Date: 5/30/2028

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## PURPOSE

To comply with ACGME Common Program Requirements: Resident Duty Hours. To foster a clinical learning environment that balances these important needs: patient care, patient safety, resident education, and resident well-being.

## POLICY

### 1. Definitions:

- a) Moonlighting – any service provided by a resident in the capacity of an independent physician, completely outside the scope of his/her residency training program.
- b) External moonlighting – moonlighting at a non-Cherokee Nation Health Services facility.
- c) Internal moonlighting – moonlighting within a Cherokee Nation Health Services facility.

### 2. Restrictions on Moonlighting:

- a) PGY-1 residents are not permitted to moonlight.
- b) Residents are not required to engage in moonlighting.
- c) Moonlighting during residency training is not a right, it is a privilege granted by the Program Director

### 3. Requesting Permission to Moonlight:

- a) On an annual basis, residents must submit a completed Moonlighting Request Form to formally request permission for moonlighting
- b) Permission to moonlight is granted by the Program Director and residents must have written permission granted before moonlighting begins. This document will be placed in the resident's file and can be given to any facility where the resident will participate in moonlighting upon request.
- c) The Program Director's decision to approve or deny a resident's request to moonlight will depend on a number of factors including, but not limited to, the resident's current level of competency to provide patient care without supervision, interference with the resident's training program responsibilities, and the individual circumstances of the resident.



## Cherokee Nation Health Services Medical Residency Program - Resident Moonlighting

d) Moonlighting without permission from the program is grounds for disciplinary action, including revoking of permission to moonlight, probation and possible termination of the resident's contract.

e) Permission to moonlight can be revoked by the Program Director if the resident is not progressing satisfactorily in the training program. Examples of behaviors that may result in loss of moonlighting permission include, but are not limited to: lapses in professionalism, lapses in clinical judgment, excessive irritability, lack of dependability, tardiness to required residency obligations, excessive absence, failure to complete required patient care and residency documentation in a timely fashion, and lack of preparation/engagement in academic programming.

f) Any resident who currently has any form of corrective action being taken against them by the program's Clinical Competency Committee (CCC), both reviewable and non-reviewable, will not be granted permission to moonlight. Any resident who previously has been granted moonlighting privileges that receives a corrective action will have their permission to moonlight revoked. Upon completion of the requirements by the resident to have the corrective action removed, permission to moonlight may be granted at the discretion of the CCC.

#### **4. Moonlighting Requirements:**

a) Resident must show proof of professional liability insurance coverage for the resident's moonlighting services and privileges at the facility where moonlighting will occur. Expenses incurred by the purchase of professional liability insurance for the purpose of external moonlighting will not be paid by the Cherokee Nation Family Medicine Residency Program. Payment for these expenses will be the responsibility of the resident and/or the external facility at which the resident plans to moonlight.

b) Resident must be fully licensed to practice medicine in the state where the moonlighting will occur.

c) While moonlighting, residents must not wear identifiers as trainees of Cherokee Nation Health Services.

#### **5. Documentation of Moonlighting Hours:**

a) All moonlighting hours must be counted toward the 80-hour duty hour limit.

b) The Program Director monitors duty hour reporting, including Moonlighting hours. As part of monitoring, the Program Director may request moonlighting shift schedules from the facilities where the resident moonlights. Facilities that fail or refuse to provide verification of moonlighting shift schedules will not be permitted to employ residents from this program in moonlighting activities.

c) This residency has zero tolerance for any fabrication, falsification, or omission of moonlighting hours reported through New Innovations. All duty hours, moonlighting



## Cherokee Nation Health Services Medical Residency Program - Resident Moonlighting

hours, etc., must be logged into New Innovations. Failure to accurately log moonlighting hours will result in loss of moonlighting privileges and may lead to additional disciplinary action(s) taken by the Program Director, in consultation with the CCC.