"Moonlighting" refers to a service performed by a resident, usually in the capacity of an independent physician, completely outside the scope of their residency-training program.

"External moonlighting" refers to moonlighting at a non-Emory affiliated institution.

"Internal moonlighting" refers to moonlighting within an Emory Healthcare or Emory University affiliated facility. External and internal moonlighting hours must be counted toward the 80-hour duty hour limit.

Residents are never required to engage in moonlighting.

Residents are prohibited from external or internal moonlighting without the prior written approval of the Program Director or his/her designee. The requirements necessary for such approval are set forth below under "External Moonlighting" and "Internal Moonlighting."

Residents have insurance coverage through Emory’s Liability Insurance Program for approved internal moonlighting services.

Moonlighting activities must be compatible with a resident’s visa status.

In addition to the requirements below, the Program Director or his/her designee's decision to approve or deny a resident's request to moonlight will depend on a number of factors including, but not limited to, interference with the resident's responsibilities in the training program and the individual circumstances of the resident.

6.B.01: External Moonlighting Requirements:

1. The Resident must submit a written request for approval to externally moonlight by completing the "Request to do External Moonlighting" form.

2. To be considered for external moonlighting, the resident must meet the following requirements:
   a. Residents must obtain a signed contract with the external facility and provide a copy of the signed contract to the Program Director. The contract must state that the facility will provide professional liability insurance coverage for the resident's moonlighting services and that the resident has received privileges. If the external facility does not provide insurance coverage, residents must obtain their own professional liability insurance, for no less than limits of $1mm per claim and $3mm in the annual aggregate, and provide proof of such insurance to the Program Director before moonlighting begins.
   b. Residents must be fully licensed to practice medicine in the state where the moonlighting will occur. A residency-training permit is not a license to practice medicine outside the scope of residency training.
   c. Residents on J-1/H1B Visas are prohibited from external moonlighting.
   d. Residents must not wear Emory badges or Emory identifiers when moonlighting externally.
   e. External moonlighting counts toward the duty hour limits set by the ACGME. The Program Director is expected and required to assess the resident's progress in the program.
and require the resident to stop moonlighting if performance does not reach an expected level. The resident must be aware of these expected levels of academic and clinical performance before beginning the moonlighting experience.

6.B.02: Internal Moonlighting Requirements:

1. The Resident must submit a written request for approval to moonlight within Emory Healthcare facilities, Grady Hospital, Children’s Healthcare Of Atlanta (Children’s) hospitals and the Veterans Administration Medical Center (VAMC) by completing the "Request to do Internal Moonlighting" form. Emory’s Liability Insurance Program provides malpractice insurance for residents who moonlight within Emory facilities.

2. To be considered for internal moonlighting, the resident must meet the following requirements:
   a. When residents are moonlighting in any of the hospitals used by Emory’s training programs (i.e., Emory Healthcare facilities, Grady Hospital, Children’s Hospitals and the VAMC), billing practices must conform to Federal Center for Medicare and Medicaid Services (CMS) regulations as defined in policy 6.C: Resident Professional Fee Billing Policy.
   b. Residents must be fully licensed to practice medicine in the State of Georgia. A residency-training permit is not a license to practice medicine outside the scope of residency training, even within an Emory-affiliated facility.
   c. Residents on J-1/H1B Visas are prohibited from internal moonlighting.
   d. Residents must assure the Program Director in writing that the total hours in residency training and the moonlighting commitment DO NOT EXCEED the limits set by the ACGME.

6.C. Resident Professional Fee Billing Policy

Federal regulations and CMS have established rules governing the payment for services performed by residents who are in an approved training program based on the setting where the services are performed (42 CFR 415.208, appendix D.2 below). Medicare regulations include “ACGME fellow” in its definition of resident. Approved training programs include those resident training programs approved by the Accreditation Council for Graduate Medical Education (ACGME) and the American Board of Medical Specialties (ABMS). Emory University School of Medicine (EUSOM) GME will follow the Medicare billing rules and some additional Emory-specific requirements for all payers unless a specific exception is granted for a specific resident in circumstances where their training is not funded by CMS.

In most cases, a resident may not bill for professional services when working in an Emory-affiliated facility. Whether a resident physician may bill for professional or patient care activities and what conditions apply to that billing activity depends on the location where the activities are performed and the resident’s funding source. The resident must also have the appropriate hospital and managed care plan credentialing necessary for billing.

For residents funded through traditional Federal CMS Direct Medical Education (DME)/Indirect Medical Education (IME) hospital payments at EUSOM affiliated institutions (including Emory Healthcare, Grady Health System, Children’s and the Atlanta VAMC), the resident may bill for patient care services only if:

1. The activity is not in the same subspecialty as the resident’s Emory training program and is outside the scope of the resident’s residency training,
2. The activity takes place only in the Emergency Department or in an outpatient setting, and
3. The resident complies with the EUSOM Moonlighting policy.

For residents funded through non-traditional (non-CMS) sources at EUSOM-affiliated institutions, the resident may bill for professional or patient care activities only if:
1. The activity is not in the same specialty or subspecialty as the resident’s Emory training program and outside the scope of the resident’s residency training,
2. The resident complies with the Moonlighting policy, and
3. The resident’s moonlight and eligibility to bill for patient services is individually approved by the Assoc/Assist Dean for GME.

For residents at non-affiliated institutions (outside the Emory training hospitals), the resident may bill for patient care services only if:
   1. The activity is not part of the resident’s residency training
   2. The resident complies with the Moonlighting policy.