

# MEMORANDUM

TO: All Clinical Fellows and Subspecialty Residents in  
Internal Medicine for the Academic Year 2007-2008

FROM: Richard Hamill, M.D. RIA  
Director, Residency Program  
Department of Medicine

DATE: May 10, 2007

The purpose of this memorandum is to review the policy of Baylor College of Medicine concerning extracurricular professional employment. The Baylor policy applies to all clinical fellows and subspecialty residents training at Baylor College of Medicine.

The specific rules for the Department of Medicine for the academic year 2007-2008 for clinical fellows and subspecialty residents are:

1. As stated in the Baylor Policy Handbook, "Employment not related to the training program is permitted only with the written approval of the Associate Dean for Graduate Medical Education" upon recommendation of the subspecialty program director and the Chairman of the Department of Medicine.
2. Clinical fellows and subspecialty residents may be approved for extracurricular employment in three positions within the Baylor affiliated hospitals. For these positions, approval is required by both the subspecialty program director and the internal medicine residency program director. This employment is considered to be related to the training program of Baylor College of Medicine. These positions are:
  - a) the critical care units at St. Luke's Episcopal Hospital
  - b) the Emergency Center at Ben Taub General Hospital
  - c) the Emergency Center at the Michael E. DeBakey VA Medical Center
3. The number of hours per month in which a trainee may undertake extracurricular employment will be specified by the subspecialty program director. The number of hours must be indicated at the time the subspecialty program director signs approval for the extracurricular employment. Extracurricular employment must not compromise the trainee's ability to perform his or her usual responsibilities. Regular duty hours plus extracurricular employment must not total more than 80 hours per week. The maximum allowable amount of time for extracurricular employment is 48 hours per month.
4. In order to accept extracurricular employment at the Ben Taub General Hospital, the St. Luke's Episcopal Hospital, or the Michael E. DeBakey VA Medical Center, the trainee must hold a regular Texas medical license (not just the Texas resident institutional permit for training).
5. A foreign medical graduate cannot undertake extracurricular employment if his or her visa status is J-1.
6. No clinical fellow or subspecialty resident who is on probationary status, on general warning, or on leave of absence may undertake the above defined positions for extracurricular employment.

7. The approval for extracurricular employment may be rescinded by the subspecialty program director or by the internal medicine residency program director if the trainee's performance of his or her usual duties is compromised because of the extracurricular employment.
8. Unauthorized extracurricular professional employment by trainees will lead to probation, suspension, or dismissal from the subspecialty training program.

If you desire approval to undertake extracurricular professional activities during the academic year 2007-2008 as defined above at the Ben Taub General Hospital, the St. Luke's Episcopal Hospital or the Michael E. DeBakey VA Medical Center, please complete the enclosed form, seek approval and signature of your subspecialty training program director, and then return the form to:

Richard Hamill, M.D.  
Mail Station BCM-620  
Faculty Center  
1709 Dryden, Suite 550  
Houston, Texas 77030

In addition to the completed form you must include a photocopy of the current annual registration of your license to practice in Texas.

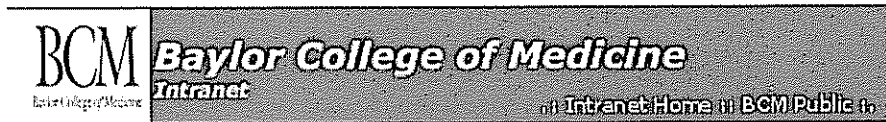
Once approval has been indicated by signature of your subspecialty training program director and the internal medicine residency program director, a copy of the approval form will be returned to you and a copy will be filed with the Office of Graduate Medical Education of Baylor College of Medicine.

When completing the form, please note:

1. GME Training Program means the name of your subspecialty program.
2. Requested work dates; the "end date" must be no later than the current ending date of your registration of your medical practice license.
3. Place of work, salary source and malpractice insurance source are the hospitals in which you may work, i.e., SLEH, BTGH or MEDVAMC.

RH:jjm

cc: Stephen Greenberg, M.D.  
Herbert I. DuPont, M.D.  
Barry Zeluff, M.D.  
Blasé Carabello, M.D.  
Directors of Subspecialty Training Programs



## Baylor College of Medicine Policy and Procedure Manual

<b>Section:</b>	Graduate Medical Education	<b>Number:</b>	25.1.03.4
<b>Area:</b>	Resident/Fellow Affairs - House Staff Physicians	<b>Date:</b>	04/17/1998
<b>Subject:</b>	Moonlighting	<b>Last Update:</b>	10/01/2003

**Applies to:** Residents & Clinical Postdoctoral Fellows

### Moonlighting

Extracurricular Activities -- Employment described as working as a physician outside of one's training program ("moonlighting") is permitted only with written approval of the Associate Dean for Graduate Medical Education, upon recommendation of the Department Chair/Division Head.

All other types of employment either related or unrelated to the house staff training program are permitted with the written approval of the Department Chair/Division Head.

"Working as a physician" shall be defined as engaging in any activity, whether compensated or not, that involves direct patient care, or that might affect the future care of a specific patient, or that might affect a specific patient's ability to obtain care or insurance. Examples of activities that would be considered "working as a physician" include but are not limited to:

- a. Working in an emergency room, medical or health facility caring for patients
- b. Working as a physician for a non-profit organization such as a Little League team
- c. Interpreting laboratory tests or x-rays
- d. Working for an insurance carrier determining which patients should be covered or which procedures are necessary
- e. Reviewing charts or cases for lawyers

Examples of activities that will not be considered "working as a physician" include but are not limited to:

- a. Tutoring medical students
- b. Writing a chapter in a medical text
- c. Giving violin lessons

"Working outside of one's training program" shall be defined as working without the immediate availability of supervision by a Baylor faculty member or working in a role or in a facility or setting not considered by the Department Chair to be part of the training program. A faculty member is considered to be immediately available for supervision if the faculty member is available either in person for immediate consult or by phone with the possibility of face-to-face consult with the house officer. House officers engaged in research, either clinical or bench-type, in the department of their primary appointment are not considered to be "working outside of one's training program."

Any activity that satisfies both conditions (i.e. "working as a physician" and "working outside of one's training program") is by definition moonlighting. House officers engaged in

moonlighting, as defined by Baylor College of Medicine, are required to have a valid state license for the state in which the moonlighting occurs.

Program directors should require all house officers to report any and all work activity outside of the prescribed house staff training program in a manner consistent with the *Policy on House Staff Physicians*. The program director will determine which activities are moonlighting. It is the responsibility of the Department Chair to recommend approval for moonlighting to the Associate Dean for Graduate Medical Education, who makes the final decision.

Evidence of poor performance by a house officer should be reviewed by the program director with specific attention paid to the possibility of moonlighting being the cause. If the program director believes that a house officer is performing poorly secondary to "working outside of the training program as a physician," the program director must require the house officer to cease all such activity in order to remediate.

As indicated in Policy 25.1.03.3, program-related moonlighting hours must be included in the calculation of a house officer's maximum number of hours weekly allowed by ACGME policy, averaged over four weeks. House staff shall not be allowed to engage in moonlighting related to their program in the event that this would lead to violations of this limit. Any requests for exceptions to this rule shall be addressed within the framework of Accreditation Council for Graduate Medical Education and Baylor policies on this subject. Disputes between house officers and their respective programs on this issue shall be mediated by the Associate Dean for Graduate Medical Education.

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**MEMORANDUM**

To: Graduate Medical Education  
From: Department of Medicine  
Re: Employment relating to the residency program (Subspecialty Residents)

Permission has been granted to the following resident/fellow for employment within Baylor-affiliated or related institution that is not part of the normal residency rotation.

Resident's Name: \_\_\_\_\_

Visa Status: \_\_\_\_\_

Phone number: \_\_\_\_\_

Pager: \_\_\_\_\_

GME Training Program: \_\_\_\_\_

End of Training Date: \_\_\_\_\_

Requested Work Time: \_\_\_\_\_ Maximum of 48 hours a month

Requested Work Date:

Start Date: \_\_\_\_\_

End Date: \_\_\_\_\_

Place of Work: \_\_\_\_\_

Salary Source: \_\_\_\_\_

Malpractice Insurance Charge Source: \_\_\_\_\_

This approval has been given with the understanding that the resident holds a current, unrestricted Texas Medical License because the Post-graduate resident permit does not cover these activities. Also, a separate billing for malpractice coverage will be made to the involved hospital(s) or Baylor department, as indicated above, to cover these activities.

Requested by: \_\_\_\_\_  
(Resident Signature) Date

Approved by: \_\_\_\_\_  
(Director of Subspecialty Program) Date

Approved by: \_\_\_\_\_  
(Associate Dean for Graduate Medical Education) Date

Approved by: \_\_\_\_\_  
(Director, Residency Training Programs) Date