

## CLIN - Participation in Outside Clinical Professional Activity (Moonlighting Guidelines) - Policy

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<b>Responsible Office:</b>	YM Practice Standard Committee
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<b>Date of Origin:</b>	09/01/2017
<b>Approval Date</b>	02/15/2023
<b>Effective Date:</b>	02/15/2023

- A. Yale University encourages its faculty to participate in clinical care, sponsored research, consulting, teaching, and other activities that may be beneficial to both the individual faculty member and the University.
- B. External professional activities should not interfere nor impede the ability of a faculty member to fulfill the primary responsibilities of their Yale appointment or conflict with University institutional goals and policies for MCIC professional liability insurance coverage. For this reason, faculty are discouraged from participation in outside clinical professional activity (i.e., moonlighting activities).
  1. “Moonlighting” is any professional and/or independent patient care activity, in all forms of delivery (including telemedicine consultations, e-consults or other similar modalities, and independently negotiated sessions/hours at Yale Health) that is outside a provider’s commitment to a YSM site of practice, clinical services agreement, or where a YSM entity does not receive payment or bill for professional services.
  2. These guidelines apply to all clinical employees of Yale School of Medicine (YSM) who are rostered with MCIC for professional liability insurance coverage, which includes faculty physicians with an appointment at YSM (even if they may receive partial funding from Yale New Haven Health) and non-physician clinical staff (advanced practice providers, etc).\* Please refer to the External Professional Activities Guidance webpage for guidelines for professional activities faculty members engage in outside of their Yale responsibilities, <https://provost.yale.edu/policies/external-professional-activities-guidance>.
  3. Only outside clinical (patient care) professional activity will be directly addressed within these guidelines. Please refer to the Yale Faculty handbook for guidelines for outside non-clinical interests and employment, <https://provost.yale.edu/faculty-handbook>.
  4. These guidelines DO NOT apply to clinical employees or housestaff of Yale New Haven Health, Yale Health or Yale School of Nursing who do not have a financially compensated appointment at YSM.
- C. Written requests for approval are needed before engaging in outside clinical professional activities (i.e., “moonlighting”).
  1. Written requests for approval **must be submitted prior to the start of outside professional work** to the department Chair or designee.
  2. Written approval for moonlighting activities may be granted at the discretion of the provider’s department Chair or designee.
  3. Departments have the option of creating a departmental policy that prohibits such activity.
- D. In addition to any conditions that are stipulated by the provider’s department, approval for external

moonlighting opportunities must meet the following Yale University requirements:

1. Providers will not provide patient care services in any capacity of a professional or commercial nature to or for any person or institution, or engage in any other activity that would be in violation to the Yale University conflict of interest or commitment policy, <http://your.yale.edu/policies-procedures/other/yale-university-policy-conflict-interest>.
2. All faculty members are required annual to report their external activities and financial interests on the external disclosure form, <https://ires.yale.edu/main.asp>.
3. A faculty member may not accept salaried employment at another institution while a full-time employee of Yale. <http://provost.yale.edu/faculty-handbook>.
4. Any relationship with an outside organization that requires frequent or prolonged absence from Yale represents a conflict of commitment that must be avoided. Therefore, outside activities at another institution cannot average more than one day per seven-day week. <http://provost.yale.edu/faculty-handbook>.
5. Yale titles, e-mail addresses, websites, and stationery printed with Yale identification should not be used for the promotion or marketing of any outside clinical professional activities by any member of the academic community.

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\*All providers (MD, PA, CRNA, CNM, APRN and Clinical psychologist) need to be in the Malpractice Insurance data base (MICS at Yale), or “rostered,” if they are providing care that needs to be covered under the Yale MCIC policy.

E. Professional Liability Coverage Insurance

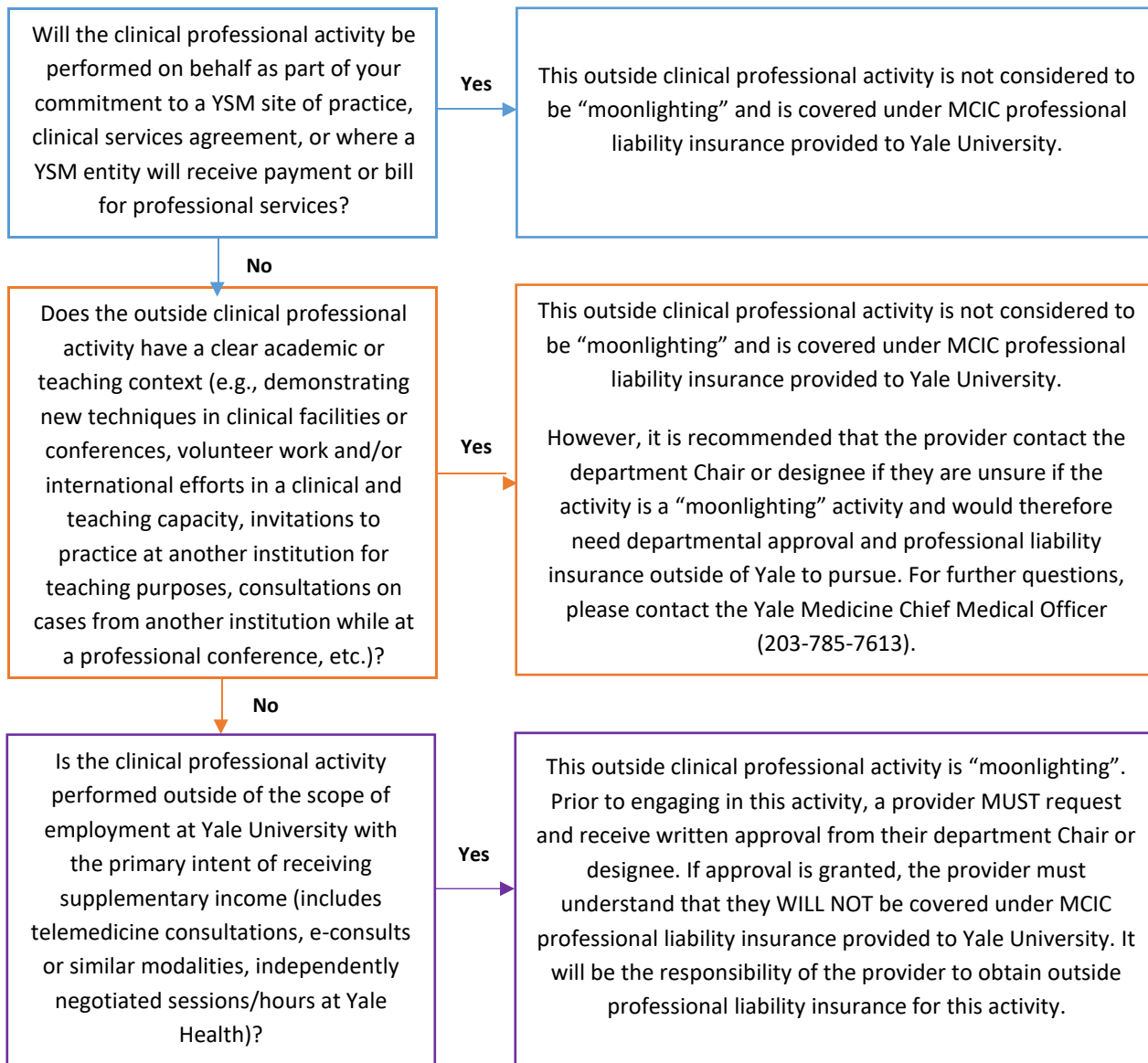
1. The MCIC professional liability insurance coverage provided to Yale University serves as coverage **ONLY for assigned professional activities within the scope of employment at Yale University, clinical services agreement \*\*, or training. This includes services performed on behalf of YSM and where a YSM entity performs the billing or receives the payment for clinical services.**
2. The professional liability insurance coverage provided to Yale University **WILL NOT COVER** professional clinical activities performed outside of the scope of employment at Yale University with the primary intent of receiving supplementary income (“moonlighting” activities mentioned in section C).
3. For Yale employed faculty who are rostered with MCIC, the professional liability policy will generally cover professional activities outside of Yale with a clear academic and teaching context\*\*.
  - a. This will include demonstrations of new techniques in clinical facilities or conference settings, volunteer work and/or international efforts in a clinical and teaching capacity, invitations to practice at another institution for teaching purposes, consultation on cases from another institution while at a professional conference, etc.
  - b. Providers should be aware that they may need the appropriate licensure to provide these activities/services in the applicable jurisdiction(s) where the patient is located. Performing clinical services where the patient is located outside of the state of CT may subject the provider to legal proceedings in that jurisdiction.
  - c. Additionally, MCIC professional liability insurance provided to Yale University only covers providers who are physically in CT, RI, or NY (or another state where MCIC is registered to do business) while providing clinical services on a regular and frequent basis.
4. Any activities within E3 should also be within the providers’ usual scope of practice as credentialed at Yale Medicine. “Good Samaritan” actions are separately covered by law.

F. For questions pertaining to these guidelines, please refer to the Appendix or contact the Yale Medicine Chief Medical Officer (203-785-7613) or the Yale University Office of General Counsel (203-432-4949).

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\*\* As for any insurance policy, your coverage is not unlimited, and there are situations that are excluded. For more information about the insurance policy, contact the Yale Risk Management Office, [risk.management@yale.edu](mailto:risk.management@yale.edu) or (203) 432-0140.

## Appendix



**For questions pertaining to these guidelines, please contact Yale Medicine Chief Medical Officer (203-785-7613) or the Yale Office of General Counsel (203-432-4949).**