

<b>Policy #:</b> 009.002
<b>Policy Title:</b> Trainee Clinical and Educational Work Hours
<b>Sponsor:</b> David Brown, MD; DIO
<b>Approved by:</b> Graduate Medical Education Committee

**Purpose**

Florida International University (FIU) has adopted the following policy to maintain clinical and educational work hours.

This policy addresses Accreditation Council of Graduate Medical Education’s (ACGME) Institutional Requirement ***IV.K. Clinical and Educational Work Hours:** The Sponsoring Institution must maintain a clinical and educational work hour policy that ensures effective oversight of institutional and program-level compliance with ACGME clinical and educational work hour requirements. IV.K.1. Moonlighting: The Sponsoring Institution must maintain a policy on moonlighting that includes the following: IV.K.1.a) residents/fellows must not be required to engage in moonlighting; IV.K.1.b) residents/fellows must have written permission from their program director to moonlight; IV.K.1.c) an ACGME-accredited program will monitor the effect of moonlighting activities on a resident’s/fellow’s performance in the program, including that adverse effects may lead to withdrawal of permission to moonlight; and, IV.K.1.d) the Sponsoring Institution or individual ACGME-accredited programs may prohibit moonlighting by residents/fellows.*

**Definitions**

**Supervising Physician:** Is a physician, either faculty member, or senior trainee designated by the Program Director as the supervisor of a junior trainee. Such designation must be based on the demonstrated medical and supervisory capabilities of the physician.

**Background**

FIU is committed to and is responsible for promoting quality of care and patient safety as well as trainee well-being. FIU acknowledges the frequent need for the effacement of self-interest in the course of patient care but would like to foster a humanistic environment that supports the professional development of physicians and ensures the learning objectives of the program are not compromised by excessive reliance on trainees to fulfill service obligations. Didactic and clinical education must be given importance in the allotment of trainees’ time and energy. Clinical work and educational assignments must recognize that faculty and trainees collectively have responsibility for the safety and welfare of patients.

**Policy**

The Program Director is responsible for ensuring that trainees in his/her training program are not exceeding their clinical work and educational limitations. All trainees and faculty will receive a copy of the clinical experience and education policy. Clinical work and education will be monitored by the Program Director or designee on an ongoing basis to ensure compliance. All trainees are required to input their clinical work and education hours into the program software database on at least a weekly basis. The Program Director, Program Faculty, and Chief Trainee(s) are charged with monitoring the demands of all call activities

and making the necessary adjustments in scheduling to deal with excessive service demands and/or fatigue. Trainees are encouraged to proactively notify the Program Director without fear of reprisal when their schedule indicates a violation of the clinical experience and education policy. Trainees may also refer to the policy on Trainee Grievances.

### Procedure

All FIU sponsored trainee work schedules shall be in compliance with Accreditation Council of Graduate Medical Education (ACGME) clinical work and education requirements. Clinical work and education are defined as all clinical and academic activities related to the graduate medical education program, i.e., patient care (both inpatient and outpatient), administrative duties related to patient care, the provision for transfer of patient care, time spent in-house during call activities, and scheduled academic activities such as conferences. Clinical work and education do not include reading and preparation time spent away from the duty site.

1. Maximum Hours of Clinical and Educational Work per Week
  - a. The scheduled work week shall not exceed 80 hours per week, averaged over a four-week period, inclusive of in-house clinical and education activities, clinical work done from home, while on call, and all moonlighting which must have prior approval from the Program Director as outlined in the trainee moonlighting policy, and program specific policies.
2. Mandatory Time Free of Clinical Work and Education
  - a. The program must design an effective program structure that is configured to provide trainees with educational opportunities for rest and personal well-being.
  - b. Trainees should have eight (8) hours off between scheduled clinical work and educational periods.
  - c. There may be circumstances when trainees choose to stay to care for their patients or return to the hospital with fewer than eight hours free of clinical experience and education. This must occur within the context of the 80-hour average and the one-day-off-in-seven requirements.
  - d. Trainees must be provided with 1 day in 7 free from all educational and clinical responsibilities, averaged over a four-week period, inclusive of call. At home call cannot be assigned on these free days.
3. Trainees must have at least 14 hours free of clinical and educational work after 24 hours of in-house call activities.
4. Maximum Clinical Work and Educational Period Length
  - a. Clinical and Educational work periods for trainees must not exceed 24 hours of continuous scheduled clinical assignments.
  - b. Programs are responsible for ensuring that trainees are provided with manageable workloads that can be accomplished during scheduled work hours. This includes that trainees have appropriate support from their clinical teams, and that they are not overburdened with clerical work and/or other non-physician responsibilities.
  - c. Up to four hours of additional time may be used for activities related to patient safety, such as providing effective transitions of care, and/or trainee education.

- d. Additional patient care responsibilities must not be assigned to a trainee during this time.
5. Clinical and Educational Work Hour Exceptions
  - a. In rare circumstances, after handing off all other responsibilities, a trainee, on his or her own initiative, may elect to remain beyond their scheduled period of duty or return to the clinical site in the following circumstances: to continue to provide care to a single severely ill or unstable patient; humanistic attention to the needs of a patient or family; or to attend unique educational events.
  - b. These additional hours of care or education will be counted toward the 80-hour weekly limit.
  - c. A Review Committee may grant rotation-specific exceptions for up to 10 percent or a maximum of 88 clinical and educational work hours to individual programs based on a sound educational rationale.
6. Night Float
  - a. Trainees must not be assigned more than two months of night float during any year of the educational program, or more than four months of night float during the course of the residency
  - b. Trainees must not be assigned to more than one month of consecutive night float rotation.
  - c. Night float must occur within the context of the 80-hour and one-day-off-in-seven requirements.
7. On-Call
  - a. Trainees must be scheduled for in-house call no more frequently than every-third night (when averaged over a four-week period).
  - b. Time spent on patient care activities by trainees on at-home call must count towards the 80-hour average maximum weekly hour limit. The frequency of at-home call is not subject to the every-third night *and* must satisfy the requirement for one-day-in-seven free of duty clinical work and education, when averaged over four weeks.
  - c. At-home call must not be so frequent or taxing as to preclude rest or reasonable personal time for each trainee.
  - d. Trainees are permitted to return to the hospital while on at-home call to provide direct care for new or established patients. These hours of inpatient care must be included in the 80-hour weekly maximum weekly limit.
8. Moonlighting
  - a. Trainees are not required to engage in moonlighting.
  - b. A trainee can request to moonlight but can only moonlight with written permission from the Program Director.
  - c. Moonlighting must not interfere with the ability of the trainee to achieve the goals and objectives of the educational program, and must not interfere with the trainee's fitness for work nor compromise patient safety.
    - i. The Program Director, Program Coordinator, and/or Supervising Physicians will monitor the effect of moonlighting activities on a trainee's performance in the program, including that adverse effects may lead to withdrawal of permission to moonlight.

- d. Time spent by trainees in internal and external moonlighting must be counted toward the 80-hour maximum weekly limit
  - i. It is the trainee’s responsibility to inform the Program Director of moonlighting hours.
- e. FIU Program Director may prohibit moonlighting by trainees.

**Related Policies**

Trainee Grievances, Trainee Moonlighting, Trainee Fatigue Mitigation

<b>Author</b>	Maryam Shakir	11/22/2019
<b>Revised</b>		08/24/2024
<b>DIO Review</b>	David Brown, MD; DIO	08/26/2024
<b>GMEC Approval</b>	Reviewed and approved	08/29/2024