

Graduate Medical Education Policy on Resident Duty Hours
Laboratory of Pathology, ACGME Training Programs
Anatomic Pathology, Hematopathology, Cytopathology

Editorial Revision, May 23, 2017

Background: The Laboratory of Pathology has adopted the NIH Graduate Medical Education Policy on Resident Duty hours, which has been instituted for all NIH ACGME-accredited programs.

Duty hours in the Clinical Learning Environment will be constructed as follows:

1. Duty hours are limited to 80 hours per week, averaged over a four-week period, scheduled Program clinical work or assigned educational/research activities, on-call activities, all time spent in external and internal moonlighting activities, and all clinical work done from home. Continuous on-site duty is not allowed to exceed 24 consecutive hours for clinical fellows.
Clinical fellows are responsible for reporting their duty hours to the Program Director through formal mechanisms established and maintained by the Program. Program Directors are responsible for monitoring duty hours for all clinical fellows in the Program to ensure compliance with this policy.
2. After continuous duty assignments of 24 consecutive hours, clinical fellows will be permitted to remain on duty for up to four (4) consecutive additional hours to participate in didactic activities, unique educational events, patient care transitions, and activities to maintain continuity of medical and surgical care to ensure patient safety.
3. Clinical fellows will be provided with one day (defined as a continuous 24- hour period) in seven free from all assigned/scheduled educational, clinical, and administrative responsibilities, averaged over a four-week period, inclusive of in-house and at-home call assignments.
4. Under unusual circumstances, clinical fellows may, on their own initiative and after handing off their patients to clinical colleagues appropriately scheduled to provide care, remain on duty beyond the 24 + 4 consecutive duty hour limit, to provide continuing care to a single patient. Justifications for such unassigned/unscheduled extensions of duty are limited to the following circumstances:
 - a. continuity for a severely ill or unstable patient;
 - b. Academic importance/unique educational value of the events transpiring;
 - c. humanistic attention to the needs of a patient or family.The additional hours of care/educational activity described above will be reported by the clinical fellow to the Program Director and counted toward the weekly duty hour limit for that clinical fellow. The Program Director will monitor the frequency of additional unassigned/unscheduled service initiated by clinical fellows through formal reporting mechanisms established by the Program, and track both individual or program-wide episodes of unassigned/unscheduled duty to ensure adherence to this policy.
5. Scheduled clinical or educational assignments for clinical fellows in a Program should be separated by a minimum of 8 hours. After 24 consecutive hours of assigned clinical work or education activities, Programs will provide clinical fellows, at a minimum, with a 14-hour period free of any subsequently assigned clinical duties or education activities. This 14-hour period free of assigned clinical duties or education activities will not be discretionary and may not be shortened.
6. Residents and fellows in pathology programs do not take “in-house” call, and when on call carry a beeper, or are available by phone. At-home call does not count toward the 80-hour workweek, unless the resident is called into the hospital. At-home call must not be so frequent or taxing as to preclude rest or reasonable personal time for each resident.

7. The program director and faculty monitor demands of service activities and call activities in their programs and make scheduling adjustments as necessary to mitigate excessive service demands and/or fatigue. Monitoring is conducted through observation, resident feedback at monthly resident meetings, and periodic surveys conducted by the NIH GME committee and outside organizations.

Oversight will take place as follows:

1. The program director assures that qualified faculty supervises all patient care at all clinical sites. Faculty schedules and communication systems are structured to provide residents with appropriate supervision and consultation based on their level of training and in accordance with NIH Clinical Center Medical Executive Committee Policy M16-1.
2. Backup support systems will be provided when patient care responsibilities are unusually difficult or prolonged, or if unexpected circumstances create resident/fellow fatigue sufficient to jeopardize patient care.
3. Faculty, residents and fellows are educated and encouraged to recognize the signs of fatigue and adopt and apply policies to prevent and counteract the potential negative effects.
4. If there has been a violation or deviation of ACGME resident duty hour's regulations, the resident or fellow should contact his or her program director, the Laboratory Chief, or Executive Director, Graduate Medical Education. Complaints will be treated with discretion.

"Moonlighting" will be handled as follows:


1. Outside activities, including patient care activities not required by the educational program and occurring at healthcare sites external to NIH or its affiliated clinical sites (a.k.a. "moonlighting"), are permitted in accordance with Federal Government and HHS regulations and procedures (form HHS 520 available online at: <http://ethics.od.nih.gov/topics/fellows-520.htm> and form NIH-2657, Part D, Supplemental Information to HHS-520 available online at: <http://ethics.od.nih.gov/topics/fellows-520.htm>) and must have the approval for the activity from the Clinical Director/Department Chief and the Deputy Ethics Counselor, in addition to written approval from the Program Director which will be made part of the resident's or fellow's file.

Program Directors must be aware of a resident's/fellow's outside activities so that they can monitor resident/fellow well-being and performance within the training program, accurately account for duty hours or educational activities over a four-week period, and ensure that the outside professional activities do not interfere with the ability of the fellow to provide safe and effective clinical care to patients or to achieve the goals and objectives of the training program. Approval for the activity(ies) may be denied or withdrawn in the event of compromised patient care quality or safety; excessive time (> 80 hours) devoted to outside clinical care activities when averaged over a four-week period; or inability of the clinical fellow to satisfactorily to meet the goals and objectives of the training program.


2. PGY-1 residents are not permitted to "moonlight" as per the ACGME Common Program Requirements during the PGY 1 training year.

3. The Clinical Fellow Letter of Agreement of Appointment, provided to each clinical fellow at entry by the training program, must reflect the individual training Program's policy for outside professional activities, including "moonlighting."
4. All time devoted to outside professional clinical activities qualifying as moonlighting will be counted toward the 80 hour weekly limit on duty hours, and will be reported by the clinical fellow to the Program in accordance with the Program's policy and procedure for documenting duty hours, and will be monitored prospectively by the Program Director.
5. Clinical fellows will not be required to participate in optional internal clinical coverage at the NIH Clinical Center or any of its clinical affiliates that is outside the scope of their official duty assignments (a.k.a. "internal moonlighting") as a term or condition of appointment in their training Programs. However, should a clinical fellow elect to participate voluntarily in optional internal clinical coverage and receive the necessary agency approvals, then all time devoted to this activity will be counted toward the 80-hour weekly limit on duty hours and reported to the Program Director in accordance with the Program's procedure for documenting duty hours
6. Internal moonlighting for other "NIH programs" is not an option for residents in anatomic pathology ACGME program.


Approved on behalf of the Laboratory of Pathology


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06/29/17
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