



West Virginia University
Regional Anesthesiology and Acute Pain Medicine Fellowship Program

DUTY HOUR POLICY

Duty Hours were developed in accordance with the requirements of the respective Specialty Board and the Accreditation Council for Graduate Medical Education and comply with the policies of the ACGME.

The Department of Anesthesiology has a written policy that is specific and designed to optimize the patient care and the working environment of the Department of Anesthesia. Factors that are addressed may include, but are not limited to, the frequency of call, the number of hours for each on call period, the amount of time that a participant or student will be allowed to continuously be on duty or on call, the amount of time off, and disaster situations.

Duty hours are defined as all clinical and academic activities related to the Residency/fellowship program; i.e., patient care (both inpatient and outpatient), administrative duties relative to patient care, the provision for transfer of patient care, time spent in-house during call activities, scheduled activities such as conferences, and participation in off-site activities such as presenting a poster or abstract as required as part of the training requirements (this does not include travel time).

Duty hours do *not* include reading and preparation time spent away from the duty site. A copy of current duty hour requirements will be distributed to all faculty and fellows at the beginning of the academic year (July 1).

ACGME Duty Hour Requirements

1. Maximum Hours of Work per Week

- a. Duty hours must be limited to 80 hours per week, averaged over a four-week period, inclusive of all in-house call activities and all moonlighting.

2. Moonlighting

- a. Moonlighting must not interfere with the ability of the fellow to achieve the goals and objectives of the educational program.
- b. Time spent by fellows Moonlighting (as defined in the ACGME Glossary of Terms) must be counted towards the 80-hour Maximum Weekly Hour Limit.

3. Mandatory Time Free of Duty

- a. Fellows must be scheduled for a minimum of one day free of duty every week (when averaged over four weeks). At-home call cannot be assigned on these free days.

4. Maximum Duty Period Length

- a. Duty periods may be scheduled to a maximum of 24 hours of continuous duty in the hospital.
- b. Fellows are encouraged to use alertness management strategies in the context of patient care responsibilities. Strategic napping, especially after 16 hours of continuous duty and between the hours of 10:00 p.m. and 8:00 a.m., is strongly suggested.
- c. It is essential for patient safety and fellow education that effective transitions in care occur. Fellows may be allowed to remain on-site in order to accomplish these tasks; however, this period of time must be no longer than an additional four hours.
- d. Fellows must not be assigned additional clinical responsibilities after 24 hours of continuous in-house duty.
- e. In unusual circumstances, fellows, on their own initiative, may remain beyond their scheduled period of duty to continue to provide care to a single patient. Justifications for such extensions of duty are limited to reasons of required continuity for a severely ill or unstable patient, academic importance of the events transpiring, or humanistic attention to the needs of a patient or family. Under those circumstances, the fellow must:
 - i. appropriately hand over the care of all other patients to the team responsible for their continuing care; and,
 - ii. Document the reasons for remaining to care for the patient in question and submit that documentation in every circumstance to the program director.
 - iii. The program director must review each submission of additional service, and track both individual fellow and program-wide episodes of additional duty.

5. Minimum Time Off between Scheduled Duty Periods

- a. Fellows should have 10 hours free of duty and must have eight hours between scheduled duty periods. They must have at least 14 hours free of duty after 24 hours of in-house duty.

6. Maximum Frequency of In-House Night Float

- a. Fellows must not be scheduled for more than six consecutive nights of night float.

7. Maximum In-House On-Call Frequency

- a. Fellows must be scheduled for in-house call no more frequently than every-third night (when averaged over a four-week period).

8. At-Home Call (Late Call)

- a. Time spent in the hospital by fellows while on at-home call must count towards the 80-hour maximum weekly hour limit. The frequency of at-home call is not subject to the every-third night limitation but must satisfy the requirement for one-day-in-seven free of duty, when averaged over four weeks.
- b. At-home call must not be so frequent or taxing as to preclude rest or reasonable personal time for each fellow.



- c. Fellows are permitted to return to the hospital while on at-home call to care for new or established patients. Each episode of this type of care, while it must be included in the 80-hour weekly maximum, will not initiate a new “off-duty period.” These hours are generally logged in ADS as “unscheduled” work hours.

Interpretive Guidelines of Duty Hours:

1. Fellows must have at least 5 days off duty in a 28-day period
2. 10 hours off between shifts except under certain well-defined situations
3. Shifts no longer than 24 hours in duration except under certain well-defined situations
4. Call cannot average in excess of every 3rd night
5. Variations from the “shoulds” require written permission from the Program Director

Violation of Duty Hours

The Department of Anesthesiology has a ‘zero tolerance policy’ for duty hour violations. The department has developed a stepwise policy for dealing with duty hour violations as detailed as follows:

1. **First Duty Hours Violation:** A warning letter will be forwarded to the fellow and a copy kept on file in the Program Director’s Office. The fellow will receive a “needs improvement” rating in the core competency of “professionalism.” The fellow will lose meal card privileges for a period of 1 month.
2. **Second Duty Hours Violation:** The fellow will receive a second warning letter, and a copy of the letter and the 1st letter from the Program Director’s file will be placed in the fellow’s permanent file. The fellow will receive an unsatisfactory rating in ‘Professionalism’ for that 6-month reporting period.
3. **Third Duty Hours Violation:** The fellow will receive a third warning letter and a copy placed in the fellow’s permanent file. The fellow will receive an unsatisfactory rating in ‘Professionalism’ and be placed in Probationary Status. Probation is a reportable event to all future employers. Successive 6-month periods of probation will result in loss of training credit with the American Board of Anesthesiology and lengthen the duration of residency/fellowship training.
4. **Fourth Duty Hours Violation:** The fellow will be subject to immediate termination for cause.

MOONLIGHTING

Source: ACGME Revised for West Virginia University Department of Anesthesiology

Con: Competes with achievement of educational objectives and balanced lifestyle

Pro: Massive debt and limited deferment options

Training program duties

- Must monitor fellow performance to detect effects of fatigue, ensure patient safety and achieve educational milestones.
- May monitor hours, scheduling, and nature of work.
- Document departmental knowledge of moonlighting in resident file

Hiring institution duties

- Verify permanent medical & DEA licenses
- Provide adequate malpractice insurance
- Verify that resident has adequate skills and knowledge for the job

Moonlighting General Guidelines:

- Prohibited if there is a history of academically marginal Performance
- Prohibited if there is a history of unsatisfactory resident CCC evaluation or probation
- Prohibited within 12 hours of a scheduled duty or call obligation
- Must be pre-approved by the Program Director and chair.
- Failure to obtain approval is grounds for immediate dismissal from the program.
- Permission will be withdrawn if any of the above prohibitions occur.
- Permission will be withdrawn if there is a decline in resident performance
- Must count Duty Hours towards all applicable duty hour requirements
- May not count cases in case logs
- Is prohibited for holders of J-1 Visas due to restrictions dictated by the ECFMG and US Immigration Service
- Internal Moonlighting:
 - Is Voluntary
 - Administered by the Program Director

Note: The Program Director and Department Chair will make the final decision at their discretion. Moonlighting can only be permitted with the permission of the Program Director and can be revoked at any time. All Clinical and Educational Work Hour Rules apply to moonlighting and will be monitored by the Program Director and Program Coordinator.