



# Isakson & Roe: Public Law 116-315

## Section 1019 Overpayments and Debts

March 4-5, 2021



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# Isakson & Roe: Public Law 116-315 (Section 1019)

## COURSE OVERVIEW

This course reviews Section 1019 of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (P.L.116-315) enacted on January 5, 2021. This new law provides for the improvement and/or expansion of various GI Bill® programs, including Section 1019 overpayments to eligible persons or Veterans.



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# Training Objectives

## COURSE OBJECTIVES

**After completing this course, you will be able to:**

1. Understand section 1019 of P.L. 116-315
2. Apply the policies and procedures related to debt management
3. Apply mitigating circumstances as applicable



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# Training Agenda

**MODULE 1** .....LEGISLATION OVERVIEW: SECTION 1019

**MODULE 2** .....DEBT ESTABLISHMENT

**MODULE 3** .....OVERPAYMENTS & DEBT COLLECTION

**MODULE 4** .....MITIGATING CIRCUMSTANCES

**MODULE 5** .....FAQs & REFERENCES

**CONCLUSION** .....ANNUAL TRAINING CREDIT



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# MODULE ONE

## LEGISLATION OVERVIEW: SECTION 1019



# Legislation Overview: Section 1019

## Overpayments To Eligible Persons Or Veterans

- Section 1019 of PL 116-315 requires schools to be financially responsible for benefits paid under the Post-9/11 GI Bill for tuition and fees and/or the Yellow Ribbon program.
- This provision is effective January 5, 2021.
- VA is updating existing systems and drafting procedures for claims processing to implement this provision.



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# Legislation Overview: Section 1019

## Overpayments To Eligible Persons Or Veterans

- VA currently working to automate debt notifications.
- Temporary work-around is manually sending targeted emails to affected students.
- First release of targeted student emails: February 2021
  - Students who created an affected debt since January 5, 2021
  - Emails will continue monthly
- Debt letters to schools will begin on March 8, 2021.



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# MODULE TWO

## DEBT ESTABLISHMENT



# Debt Establishment

- This provision changes the situations in which a school is responsible for VA debts under the Post-9/11 GI Bill.
- Debts resulting from reductions/terminations will be established as follows:

## School Debt

- Tuition and Fees
- Yellow Ribbon

## Student Debt

- Monthly housing allowance (MHA)
- Books and supplies
- Kicker benefits



# Debt Establishment

- Reductions and terminations
  - During a school's drop period will be effective the end of the month during which the reduction occurred or the actual date of withdrawal.
  - For which punitive grades are assigned will be effective the end of the month during which the reduction occurred or the actual date of withdrawal.
  - After the drop period for which non-punitive grades are assigned will be effective the first day of the term unless:
    - The 6-credit hour exclusion is granted
    - Mitigating circumstances (MIT-C) exist
- Schools will be responsible for tuition and fee and/or Yellow Ribbon program debts created as a result of the actions above.



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# MODULE THREE

## OVERPAYMENTS & DEBT COLLECTION



# Overpayments & Debt Collection

## Debt Collection Instructions for Institutions/Schools

- Education Regional Processing Offices (RPOs) will do the conversions from student to institution debt, for debts created on or after January 5, 2021
  - Debts created on or before January 4, 2021 will not be changed
- After conversion, normal Debt Management Center (DMC) processes will apply
  - Debt letters from DMC to the school
  - Debts will show on debt lists requested by facility code



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# Overpayments & Debt Collection

## Debt Collection Instructions for Institutions/Schools

- Institutions should not attempt to submit payment, until they have been notified through DMC letter that the debt is established for the institution/school
- Collection on student debts is currently paused
  - COVID relief for students with debts created after April 1, 2020 has been extended until September 30, 2021



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# Overpayments & Debt Collection

## Debt Resolution Options for Institutions/Schools

- Pay in full (check, ACH, credit card)
  - Credit card transactions have daily limit of \$24,999.99
- Repayment plan
- Compromise
- Dispute



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# Overpayments & Debt Collection

## DMC information for Students

- DMC has paused all action on student tuition debts potentially affected by this change
  - Includes payment plans, waivers, etc.
  - Due to system limitations, in rare cases a paused debt may be a valid student tuition debt
- Once RPOs have completed conversion and any valid student tuition debts are identified, DMC processes will apply
  - COVID relief for students with debts created after April 1, 2020 has been extended until September 30, 2021
  - DMC plans to provide informational letters to students during the COVID relief period



# MODULE FOUR

## MITIGATING CIRCUMSTANCES



# Mitigating Circumstances

- Mitigating circumstances (MIT-C) are reasons beyond the control of the student which prevented the completion of the course(s).
- When a student reduces/terminates after the drop period and non-punitive grades are assigned, MIT-C are an issue.
- Acceptable MIT-C allow VA to use the end of the month during which the reduction occurred or the actual date of withdrawal as the effective date rather than the first day of term.

**NOTE:** The 6-credit hour exclusion applies to a student's first instance of reduction/termination for which MIT-C are an issue.



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# Mitigating Circumstances

## Acceptable MIT-C include, but are not limited to:

- An illness or death in the student's immediate family.
- An illness or injury afflicting the student during the enrollment period.
- An unavoidable change in the student's conditions of employment.
- Immediate family or financial obligations that require him or her to suspend pursuit of the program of education to obtain employment.
- Unanticipated active military service, including active duty for training.
- Reductions and withdrawals due to COVID-19 (PL 116-315, section 1104).



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# Mitigating Circumstances

## PL 116-315 (Section 1104)

- PL 116-315, Section 1104 states that the following are considered mitigation circumstances. You should certify any drops/reductions due to the following as “MIT-C”
- Any reason related to COVID-19 emergency including:
  - (1) illness, quarantine, or social distancing requirements;
  - (2) issues associated with COVID–19 testing accessibility;
  - (3) access or availability of childcare;
  - (4) providing care for a family member or cohabitants;
  - (5) change of location or residence due to COVID–19 or associated school closures;
  - (6) employment changes or financial hardship; and
  - (7) issues associated with changes in format or medium of instruction.



# Mitigating Circumstances

- Schools should provide MIT-C, if known. Documentation of MIT-C must be maintained in the student's file for review during a compliance survey.
- If MIT-C are not provided by the school, VA will adjust benefits effective the first day of the term and request from the student.
- If acceptable MIT-C are subsequently provided, VA will adjust benefits effective the end of the month during which the reduction occurred or the actual date of withdrawal. If the debt has already been repaid by the school, VA will reissue the school a portion of the amount repaid.
- In general, acceptable MIT-C will not eliminate a school debt. They only allow for payment through the end of the month during which the reduction occurred or the actual date of withdrawal as the effective date rather than the first day of term.



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# MODULE FIVE

## FAQS & REFERENCES



# Frequently Asked Questions (FAQs)

## Question 1: What letters will institutions and students receive from DMC?

**Answer 1:** DMC will send standard debt notification letters, once the debt is created for the institution/school. DMC's standard debt notification letters to students with debts created after April 1, 2020, are paused until September 30, 2021, for COVID relief. Informational letters may be sent to inform students of their debt balances and options.



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# Frequently Asked Questions (FAQs)

**Question 2: Will any debts remain for students? What should the student do if they receive a letter stating they have a debt?**

**Answer 2:** Students will still have debts created for benefits sent directly to them such as books and supplies and monthly housing allowance. DMC's standard debt notification letters to students with debts created after April 1, 2020 are paused until September 30, 2021 for COVID relief. RPO letters to students have not been paused. Students may receive special informational letters from DMC during the COVID relief period, these letters will clearly indicate that action on the debt is optional.



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# Frequently Asked Questions (FAQs)

**Question 3: Can students request a waiver with VA, for money they owe to the institution/school?**

**Answer 3:** Students cannot request a waiver for a debt with their institution/school through the VA Committee on Waivers and Compromises. In addition, there are no waiver rights for schools.

**Question 4: What is DMC's role in considering mitigating circumstances?**

**Answer 4:** RPOs handle all processing and debt amount adjustments for mitigating circumstances. Please do not submit mitigating circumstances information to DMC.



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# Legislative References

Public Law 116-315, Johnny Isakson and David P. Roe, M.D.  
Veterans Health Care and Benefits Improvement Act of 2020,  
Section 1019

38 United States Code § 3680 - Payment of educational  
assistance or subsistence allowances

38 Code of Federal Regulations § 21.9635 - Discontinuance  
dates.



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# CONCLUSION

## SCO TRAINING CREDIT



# SCO Training Credit

1. Click on the URL or copy and paste it in your web browser.  
<https://vba-tpss.vbatraining.org/assess/trkSignIn?refid=XSCO>
2. Enter your email address and eight (8) digit facility code and click Next  
**(If you do not have a user profile, click New User Account and follow the steps to set up your profile.)**
3. Scroll down and click the Conference/Workshop/Virtual Training tab
4. Select the applicable training session from the list of topics that appears on the right side of the screen by clicking Begin
5. To enter Conference/Workshop/Virtual Training Title: Click the dropdown arrow and select SCO Virtual Training Session and click Submit
6. Enter the start date and the end date
7. Enter your Facility Name, City and State (Main Campus) and click Submit
8. Certify your attendance by clicking Agree and then submit.
9. Print your training certificate and keep for your records



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# SCO Training Credit

Training credits will be awarded by the number of modules completed. Below are the requirements by facility type:

New SCO Facility Type	Number of Modules Required
Institution of Higher Learning (IHL)	10
Non-College Degree (NCD) Programs	10
High Schools and Residency Programs	1
OJT/Apprenticeship Programs	1
Vocational Flight	1
Existing SCO Facility Type	Number of Modules Required
Institutions of Higher Learning (IHL) **	4
Non-College Degree (NCD) Programs	4
Vocational Flight	4
High Schools and Residency Programs	1
OJT/Apprenticeship Programs	1

\*\* Denotes All IHL Facilities (IHL Only, IHL w/Flight Courses and IHL w/NCDs)



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# SCO Annual Training Requirement

## Complete Your SCO Annual Training by August 31, 2021

Section 305 of the Colmery Act requires SCOs at “Covered Educational Institutions” to complete annual training by August 31<sup>st</sup>.

To complete the annual training click on the link: [SCO Annual Training](#).



**Please Note:** VA has the authority to remove a SCO's ability to certify enrollments if annual training is not completed.



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# SCO Training References

## Communication Tools

Our **Monthly Housing Allowance (MHA) Communication Toolkit** provides pre-drafted language to help you communicate MHA changes with your GI Bill students.



## Stay up to date on GI Bill benefits



@GIBillEducation



@VAVetBenefits



forevergibill.vbavaco@VA.gov



### School Resource Page

<https://www.va.gov/school-administrators/>



### SCO Training

[https://www.benefits.va.gov/gibill/resources/education\\_resources/school\\_certifying\\_officials/online\\_sco\\_training.asp](https://www.benefits.va.gov/gibill/resources/education_resources/school_certifying_officials/online_sco_training.asp)



### FAQs

<https://gibill.custhelp.va.gov/app/answers/list/session/L3RpbWUvMTU3MTIxOTM4MS9zaWQvcWxoS0Vzcm8=>



### School Certifying Official's Handbook

[https://www.benefits.va.gov/GIBill/docs/job\\_aids/SCO\\_Handbook.pdf](https://www.benefits.va.gov/GIBill/docs/job_aids/SCO_Handbook.pdf)



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# Feedback & Questions

## Education Service values your feedback and questions!

- Please to remember to put your questions in the **Q&A pod** in Adobe Connect
- Please take a few minutes after this session and complete the anonymous survey. The survey link is in the **Live Links pod** in Adobe Connect.
- You can also put additional questions in the survey.
- All questions will be consolidated, reviewed and published.
- All feedback will be reviewed and considered.



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THANK YOU FOR ATTENDING!

