

NEW PROVISIONS IMPLEMENTED UNDER THE FOREVER GI BILL

Effective August 1, the U.S. Department of Veterans Affairs (VA) implemented 15 more provisions of the *Harry W. Colmery Educational Assistance Act of 2017*, also referred to as the *Forever GI Bill*.

These provisions, in addition to the 13 implemented since the law was signed less than a year ago, will have an immediate impact on veterans and their families using VA benefits to pursue their educational goals.

“We are excited to get the word out about implementation of the provisions,” said VA Secretary Robert Wilkie. “From the day the Forever GI Bill was signed into law, VA, in collaboration with veterans service organizations, state approving agencies and school certifying officials, has taken an expansive approach to ensure earned benefits are provided to veterans in a timely, high-quality and efficient way.”

More provisions are scheduled related to science, technology, engineering and math benefit extensions; increased benefit levels; a pilot program for high-technology training geared toward “upskilling” veterans to enter the workforce quickly; and another expansion of the Yellow Ribbon Program, which will be implemented by August 1, 2022.

The provisions enacted August 1 include:

- Recipients of a Purple Heart awarded on or after September 11, 2001 are now eligible for full Post-9/11 GI Bill benefits for up to 36 months if they weren’t already entitled
- Military and veteran families who lost a family member now have the option to reallocate transferred Post-9/11 GI bill eligibility
- Additional Guard and Reserve service will now count toward Post-9/11 GI Bill eligibility
- Post-9/11 GI Bill students can now receive monthly housing allowances for days they’re not on active duty instead of having to wait until the next month
- The Yellow Ribbon program has now been expanded.

The following are details of the Yellow Ribbon Program:

The Post-9/11 GI Bill will pay all resident tuition and fees for a public school, or the lower of the actual tuition and fees or the national maximum per academic year for a private school.

Your actual tuition & fees costs may exceed these amounts if you are attending a private school or are attending a public school as a nonresident student.

Institutions of Higher Learning (Degree Granting Institutions) may elect to participate in the Yellow Ribbon Program to make additional funds available for your education program without an additional charge to your GI Bill entitlement.

Degree-granting institutions of higher learning participating in the Post-9/11 GI Bill Yellow Ribbon Program agree to make additional funds available for your education program without an additional charge to your GI Bill entitlement. These institutions voluntarily enter into a Yellow Ribbon Agreement with VA and choose the amount of tuition and fees that will be contributed. VA matches that amount and issues payments directly to the institution.

To receive benefits under the Yellow Ribbon Program, you must be eligible for the maximum benefit rate under the Post-9/11 GI Bill. This includes:

- Those who served 36 months on active duty—it may be aggregate
- Purple heart recipients with an active discharge and any amount of serve
- Those discharged after 60 days with a service-connected disability and served 30 continuous days after September 10, 2001
- Children using transferred benefits
- Children using transferred benefits if their servicemember transferor is at the 100 percent level (36 months served)
- Effective August 1, 2022, servicemembers at the 100 percent level and transferee spouses whose transferor is at the 100 percent level.

Your school must also agree to participate in the Yellow Ribbon Program, and your school can't have offered Yellow Ribbon to more than the maximum number of individuals. Your school must also certify your enrollment to VA and provide Yellow Ribbon Program information. You're not eligible if you're an active duty servicemember or their spouse.

The following are Frequently Asked Questions about the Yellow Ribbon Program:

What is the Yellow Ribbon Program?

The Yellow Ribbon Program is part of the law that created the Post-9/11 GI Bill. The program allows institutions that have been approved and the VA to partially or fully fund tuition and fee expenses that go beyond established thresholds under the Post-9/11 GI Bill.

If I am eligible for the Post-9/11 GI Bill, am I automatically eligible for the Yellow Ribbon Program?

No, only veterans or dependents under the Transfer of Entitle at the 100 percent level qualify. Active duty members and spouses are not eligible. You must apply to the school, and the school must be approved to participate in the program.

If the school I plan to attend participates in the program, do all participants receive the same amount of Yellow Ribbon Program benefits?

This wouldn't automatically be true. Schools do have the option to designate the number of students and contributions based on student status, and college or professional school. For example, amounts could differ for undergraduate and graduate students.

If I participate in the Yellow Ribbon program this year, will I automatically be in the program next year?

Again, this wouldn't necessarily be true. Yellow Ribbon Program agreements have to be in effect every year. A school that has an approval with the VA must continue to offer it to you in the years following if certain conditions apply.

Agreements include the school's continued participation in the program, and your satisfactory progress towards completing your program. You must remain continuously enrolled, and you must have remaining entitlement under the Post-9/11 GI Bill. If you transfer to another school, the school will have to participate in the program and accept your application.

What happens when a portion of tuition and fees is already paid for through state or institutional waivers?

In this situation, the amount of tuition and fees charged minus any designated aid will be used to determine what's payable under the Post 9/11 GI Bill. Unmet charges may be covered fully or partially through Yellow Ribbon and VA contributions.

Changes in VA appointment scheduling process through Texting Program

The VA recently announced the implementation of VEText, which is a text message appointment-reminder system. According to VA reports, the use of the new system has reduced no-show medical visits by more than 100,000 thus far. The use of VEText was announced in March, and it's currently being used by 138 VA facilities. The system not only reminds veterans of upcoming healthcare appointments, but also lets them text to confirm or cancel.

“Every missed appointment represents a lost opportunity to provide faster access to care for a veteran in need,” said the VA’s Acting Secretary Peter O’Rourke. “VEText underscores VA’s commitment to digital modernization and represents a milestone in putting more user-friendly capabilities in the hands of veterans and our employees.”

According to the Office of Veterans Access to Care, as of July 9 more than 3.24 million patients have received appointment-reminder text messages. They have cancelled more than 319,500 appointments, which means time slots are freed for other veterans to use.

Veterans who have previously used the VA health-care system—with a cell phone number listed in their electronic health records—are automatically enrolled in VEText. Veterans can update their phone numbers during the check-in or check-out process for an appointment, at any kiosk.

VEText is integrated with VA’s electronic health-records system and does not require manual action by VA staff. Appointments are automatically scheduled and canceled via text message, freeing staff to provide more personalized care to veterans.

VA PARTNERSHIP WITH NATIONAL CANCER INSTITUTE WILL BOOST VETERAN ACCESS TO CLINICAL TRIALS

The VA recently announced a new partnership with the National Cancer Institute to provide more access to cutting edge treatments for VA patients with cancer.

“Strategic partnerships such as this one with the National Cancer Institute, allow VA to leverage the strengths of both organizations of the benefit of all stakeholders, especially our veterans,” said VA’s Acting Secretary Peter O’Rourke. “By increasing enrollment in these trials, VA and veterans will contribute to important cancer research—this will not only help our veterans, but also advance cancer care for all Americans and people around the world.”

The NCI and VA Interagency Group to Accelerate Trials Enrollment, also known as NAVIGATE is launching at 12 VA sites: Atlanta, Georgia; Bronx, New York; Charleston, South Carolina; Denver, Colorado; Durham, North Carolina; Hines, Illinois; Long Beach, California; Minneapolis, Minnesota; Palo Alto, California; Portland, Oregon; San Antonio, Texas; and West Haven, Connecticut, Boston, Massachusetts, will also serve as a coordinating center for the effort.

NAVIGATE will build infrastructure at VA sites to enable more veterans to take part in cutting-edge clinical trials sponsored by NCI. These trials typically test innovative experimental treatments, such as precision-medicine therapies based on patients’ genetic profiles, or immunotherapies that harness patients’ own immune systems to bring about cures.

The NAVIAGE network will also establish best practices and share insights to help other VA Medical Centers nationwide enroll more Veterans in cancer clinical trials. Special attention is being given to minority patients, who often have less access to new treatments and are not as well represented in clinical trials in the U.S.

While VA has a robust research program—including clinical trials on cancer and other diseases—at more than 100 sites nationwide, VA facilities often face challenges initiating and completing trials, including ones conducted through the NCI National Clinical Trials Network. Local VA research staff, for example may lack adequate support to handle certain regulatory and administrative tasks involved in these studies. NAVIGATE will help remove those barriers.

NAVIGATE will also seek to enroll veterans in trials sponsored by NCI’s Community Oncology Research Program, which focuses on cancer prevention and symptom management.

VA OPPOSES EXTENDED BENEFITS FOR BLUE WATER NAVY VETERANS

Officials from the VA have been urging senators to vote against legislation that would extend VA benefits to sailors who served off the coast during the Vietnam War and claim they have illnesses resulting from exposure to Agent Orange.

Paul Lawrence, who is the new VA undersecretary of benefits told the Senate Veterans' Affairs Committee that there was insufficient evidence to link veterans to Agent Orange exposure.

"We oppose this bill because the science is not there, and we depend on science," he said. "We care, so we keep looking."

According to Lawrence, the bill would set a negative precedent for approving benefits for illnesses without proof they were caused by military service. He said the change would erode confidence in the fairness and soundness of the veterans benefit system.

The bill being considered aims to make disability compensation available to around 90,000 Blue Water veterans. Blue Water veterans were located on aircraft carriers, cruisers, destroyers and other ships and the claim is that they were exposed to Agent Orange through ship water systems. Agent Orange has been linked to Parkinson's disease, respiratory cancers and heart disease, among other illnesses and conditions.

The VA had previously spoken out in favor of the new legislation.

"We were disappointed to see the reversal in the VA's position," said retired Navy officer John Wells, who's been a long-time advocate of the bill.

The House unanimously passed the bill in June and this is the furthest it's come along in Congress since being introduced in 2011, 2013 and 2015.

During Lawrence's testimony, he said that the legislation would increase the volume of veterans claims for benefits and that would grow the claims backlog unless additional employees were hired. Lawrence said the VA would need an estimated \$500 million during the next 10 years to secure the resources needed to handle the claims. That wouldn't include the cost of the benefits.

Extending the benefits for 10 years would cost \$1.1 billion according to Congressional Budget Office estimates. The plan is to raise fees using the VA's home loan program. Lawrence said that granting benefits to some veterans at the expense of others is counter to the mission of the Department.

Despite Lawrence's opposition, many lawmakers spoke out in favor of the legislation during the hearing.

BOARD OF VETERANS' APPEALS USING NEW TOOLS TO MAKE DECISIONS

According to a report from the VA, the use of tools has led to a record number of decisions made for veterans appealing disability benefit claims.

As of July 11, VA's Board of Veterans' Appeals has issued more than 64,025 decisions for fiscal year 2018, a record high tied to several efficiency innovations, including a new interactive decision template and a specialty case team, which have allowed the Board to serve more veterans.

"Decisions made by the Board affect veterans' lives and it's up to VA to keep improving this process," said VA Acting Secretary Peter O'Rourke. "We will continue to innovate throughout VA even while employing the new tools that are already making the process better for service to veterans."

Examples of decisions made by the Board including working with the VBA within 24 hours of a Board hearing to begin disbursing almost \$50,000 in benefits to a homeless widow of a retired veteran and saving a veteran from foreclosure.

"Our goal is to provide answers to veterans and their families," said Chairman Cheryl L. Mason, Board of Veterans' Appeals. "We will continue to do so as expeditiously as possible with improved customer service while employing every efficiency."

The mission of VA's Board of Veterans' Appeals is to conduct hearings and deliver decisions on appeals in a timely manner.

Final decisions on such appeals are made by the Board based on all of the evidence, including the veteran's medical records, and consideration of applicable provisions of law and regulation.

WHAT TO KNOW ABOUT GI BILL OVERPAYMENTS AND DEBTS

People frequently have questions about debt related to GI Bill overpayments. The following are frequently asked questions and answers to these questions.

What Causes Debts with VA Education Programs?

If you decrease your training time, for example by dropping classes, and a payment has already been processed, an overpayment occurs. If the School Certifying Official alerts the VA of the change, a debt is created to the account.

The school issues refunds based on their internal policy, but this might not cover the debt with the VA. If the amount refunded by the school does not satisfy the debt, you are responsible for the remainder.

If the school refunds money directly to the VA, the VA will credit your account any amount the school refunds.

If they refund money directly to you, you must clear the debt with the VA.

A decrease in your credit hours could also result in changes to your housing allowance and books & supplies stipend. If VA has already issued you a payment for the term, a debt will be created on your account.

You are responsible for keeping track of your tuition and fee account balance and payments.

Why do I have a debt with the VA over tuition and fees paid to my school?

When you enroll in school and take classes, you enter into an agreement with the school to pay for your classes and the associated fees. VA pays the tuition and fees to the school on your behalf when the School Certifying Official (SCO) certifies that you are enrolled in classes. By law you are responsible for any debt incurred while receiving benefits under the Post 9/11 GI Bill. VA is required by law to recoup any debt.

You are responsible for keeping track of your tuition and fee account balance. Visit your school's financial office regularly to review your account, ensure the charges are correct and that payments and refunds are processed correctly. Contact your SCO to make sure the certification sent to the VA matches your schedule. Please contact the Debt Management Center (DMC) when you receive a debt letter, they are the sole authority in resolving debts.

Who do I contact about the debt on my account?

People who are concerned about the debt on their account can contact the VA's Regional Processing Office. They can be reached by calling them at (888)442-4551 or they can be emailed at dmc.ops@va.gov.

What if the debt was an error and was reported to a credit or debt collection agency?

If the VA determines a debt was made in error, then the Debt Management Center will contact both the debt collection agency and credit reporting agency to eliminate the erroneous entry. The Debt Management Center will also clear the Department of Treasury referral.

What steps does the VA take to collect a debt under any GI Bill education program?

The Regional Processing Office (RPO) that processed your payment will send a letter to you and/or your school explaining the debt and amount. The letter also indicates that you will receive further communication from the Debt Management Center (DMC) Note: Make sure the address they have for you is up to date;

Debt payments processed at RPOs are electronically transmitted to the DMC for the collection process. It generally takes 30 days for the DMC to establish an account receivable in your name. Note: After you receive a debt notification letter from DMC, all payments should be sent to DMC;

You will receive an initial debt notification letter including your rights and obligations regarding the debt. You have 30 days to contact DMC and repay the entire debt, establish a repayment plan or request a waiver of debt. If you haven't contacted DMC within 30 days, they will begin to offset the debt amounts from future GI Bill payments. Note: If you did not contact DMC within 30 days of receiving the initial letter, additional notification letters will be sent from DMC explaining collection efforts and what will be expected;

Credit reporting agencies are notified approximately 90 days after initial notification of the debt if appropriate arrangements are not made;

Debt is referred to the Department of the Treasury Cross Servicing approximately 90 days after initial notification of the debt if appropriate arrangements are not made;

Debt is referred to Department of the Treasury Offset Program (TOP) 120 days after initial notification of the debt if appropriate arrangements are not made.

If at any time during this process you contact DMC to dispute the debt, request a waiver, or fulfill your debt obligation, the steps listed above are either suspended or amended.

How can I transfer debts between programs?

You can elect to use benefits under another benefit program for which you are eligible even if you have a debt under your current benefit program.

If you are set up on a payment plan under your current benefit program, the payment plan only applies to the debt under that benefit. Once you elect to receive benefits under another program, the debt will be recouped from your last payment under your current benefit program, up to the full amount of your last payment (in other words, there's no deduction amount from the last payment, the last payment is completely recouped unless an amount lesser than the amount of the last payment pays the debt in full).

If the debt is not completely paid, the VA will transfer the remaining amount of the debt to the new benefit program and the payments under the new benefit program will be reduced until the debt is paid in full.

Once any remaining amount of debt is transferred over to your new benefit program, you may contact VA's Debt Management Center (DMC) to make payment arrangements under your new benefit program.

EXAMPLE: You have been set up on a payment plan of \$500 per month under the Montgomery GI Bill – Active Duty Program but have a \$3,000 debt remaining at the time you elect the Post-9/11 GI Bill or another benefit program. The payment plan only applies to the debt under Montgomery GI Bill. Your last Montgomery GI Bill payment of \$1,321 (or other amount) will be recouped in full, not the payment plan amount of \$500. Since the debt was not completely paid [you still owe \$1,679 (\$3,000 minus \$1,321)], the remaining amount of your debt will be recouped from your payments under the Post-9/11 GI Bill (or another benefit program) until the debt is paid in full unless you make other arrangements with VA's Debt Management Center.

What are mitigating circumstances?

If a student drops a course or withdraws from school after the drop period and receives a non-punitive grade, VA will reduce benefits effective the first day of the term unless mitigating circumstances are found. Mitigating circumstances are circumstances beyond the student's control that prevent the student from continuing in school or that cause the student to reduce credits.

When a student terminates or reduces after the drop period and a non-punitive grade is assigned, mitigating circumstances are an issue. If mitigating circumstances are needed and

adequate evidence of mitigating circumstances is not received with the Notice of Change in Student Status; VA will not pay for the course or courses in question.

If the student has already been paid for the course or courses, VA will create an overpayment (subject to the 6-credit hour exclusion) from the beginning of the term, quarter, or semester.