

Procedural Advisory: Collection of Advance Payment debts under Public Law 116-315, section 1019

March 2, 2021

Background: Public Law (PL)116-315, the *Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020*, which amended a number of VA benefits, including education, was signed by the President on January 5, 2021. This advisory provides instructions regarding section 1019, Overpayments to Eligible persons or Veterans, specifically for advance payments.

Section 1019, overpayments to eligible persons or Veterans, makes schools and training providers financially responsible, instead of the beneficiary, for payments directly paid to an educational institution under chapter 33 (including Yellow Ribbon payments, without consideration of whether the overpayment was the result of the willful or negligent failure of the school.) Section 1019 also included collection of advance payments issued to a school under any program.

RPO Impact: Regarding the collection of advanced payment, there will be little to no impact to the Regional Processing Offices (RPOs).

What RPO Action is Needed: Procedures regarding the recoupment of advance payments issued to a school under any program and potential overpayments currently in [M22-4, Part 4, chapter 10](#), are consistent with VA's interpretation of section 1019 and should continued to be followed as appropriate implementation of section 1019 (38 U.S.C § 3685(b)(2)(C)).

No additional instructions are required. The interpretation of section 1019 falls under these guidelines.

Questions: If you have any questions regarding this advisory, you may contact the [Procedures Team](#)

V/R

Procedures Team

Education Service