

within the first six years after the participant has completed such program and received a degree or certificate described in section 7501(a)(1) of this title; and

(3) any other terms and conditions that the Secretary considers appropriate for carrying out this chapter.

(Added Pub. L. 111-163, title III, §302(a), May 5, 2010, 124 Stat. 1148.)

**§ 7505. Repayment for failure to satisfy requirements of agreement**

(a) IN GENERAL.—An individual who receives educational assistance under the scholarship program under this chapter shall repay to the Secretary an amount equal to the unearned portion of such assistance if the individual fails to satisfy the requirements of the agreement entered into under section 7504 of this title, except in circumstances authorized by the Secretary.

(b) AMOUNT OF REPAYMENT.—The Secretary shall establish, by regulations, procedures for determining the amount of the repayment required under this section and the circumstances under which an exception to the required repayment may be granted.

(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary shall prescribe regulations providing for the waiver or suspension of any obligation of an individual for service or payment under this chapter (or an agreement under this chapter) whenever—

(1) noncompliance by the individual is due to circumstances beyond the control of the individual; or

(2) the Secretary determines that the waiver or suspension of compliance is in the best interest of the United States.

(d) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to repay the Secretary under this section is, for all purposes, a debt owed the United States. A discharge in bankruptcy under title 11 does not discharge a person from such debt if the discharge order is entered less than five years after the date of the termination of the agreement or contract on which the debt is based.

(Added Pub. L. 111-163, title III, §302(a), May 5, 2010, 124 Stat. 1148.)

**CHAPTER 76—HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE PROGRAM**

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- 7683. Education debt reduction.
- [7684. Repealed.]

**AMENDMENTS**

2010—Pub. L. 111-163, title VI, §603(d), May 5, 2010, 124 Stat. 1174, added items 7618 and 7619 and struck out former item 7618 “Expiration of program”.

2002—Pub. L. 107-135, title I, §§101(a)(2), 102(a)(2), Jan. 23, 2002, 115 Stat. 2447, 2448, struck out items 7676 “Expiration of program” and 7684 “Expiration of program”.

1998—Pub. L. 105-368, title VIII, §§802(b), 803(b), Nov. 11, 1998, 112 Stat. 3356, 3358, added headings for subchapters VI and VII and items 7671 to 7676 and 7681 to 7684.

1991—Pub. L. 102-40, title IV, §402(c)(1), May 7, 1991, 105 Stat. 239, renumbered items 4301 to 4355 as 7601 to 7655, respectively.

1990—Pub. L. 101-366, title II, §205(a)(2), Aug. 15, 1990, 104 Stat. 440, added heading for subchapter V and items 4351 to 4355.

**SUBCHAPTER I—GENERAL**

**§ 7601. Establishment of program; purpose**

(a) There is hereby established a program to be known as the Department of Veterans Affairs Health Professionals Educational Assistance Program (hereinafter in this chapter referred to as the “Educational Assistance Program”). The program consists of—

(1) the scholarship program provided for in subchapter II of this chapter;

(2) the tuition reimbursement program provided for in subchapter III of this chapter;

(3) the Selected Reserve member stipend program provided for under subchapter V of this chapter;

(4) the employee incentive scholarship program provided for in subchapter VI of this chapter; and

(5) the education debt reduction program provided for in subchapter VII of this chapter.

(b) The purpose of the Educational Assistance Program is to assist in providing an adequate supply of trained health-care personnel for the Department and the Nation.

(Added Pub. L. 100-322, title II, §216(b), May 20, 1988, 102 Stat. 518, §4301; amended Pub. L. 101-366, title II, §205(c)(1), Aug. 15, 1990, 104 Stat. 441; renumbered §7601, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238; Pub. L. 102-83, §4(a)(2)(B)(vi), (3), (4), Aug. 6, 1991, 105 Stat. 403, 404; Pub. L. 103-446, title XII, §1201(e)(25), Nov. 2, 1994, 108 Stat. 4686; Pub. L. 105-368, title VIII, §805(1), Nov. 11, 1998, 112 Stat. 3358.)

#### AMENDMENTS

1998—Subsec. (a)(4), (5). Pub. L. 105-368 added pars. (4) and (5).

1994—Subsec. (a)(1). Pub. L. 103-446 substituted semicolon for comma at end.

1991—Pub. L. 102-40 renumbered section 4301 of this title as this section.

Subsec. (a). Pub. L. 102-83, §4(a)(2)(B)(vi), substituted "Department of Veterans Affairs" for "Veterans' Administration" in introductory provisions.

Subsec. (b). Pub. L. 102-83, §4(a)(3), (4), substituted "Department" for "Veterans' Administration".

1990—Subsec. (a)(3). Pub. L. 101-366 added par. (3).

#### PAYMENTS TO HEALTH-CARE PROFESSIONAL EMPLOYEES FOR TUITION LOANS

Pub. L. 102-585, title V, §523(b), Nov. 4, 1992, 106 Stat. 4959, provided that Secretary of Veterans Affairs could not provide payments to health-care professional employees of Department of Veterans Affairs for payment of tuition loans, prior to repeal by Pub. L. 105-368, title VIII, §804, Nov. 11, 1998, 112 Stat. 3358.

#### TUITION LOAN PAYMENT PROGRAM

Pub. L. 102-389, title I, Oct. 6, 1992, 106 Stat. 1574, provided in part for an appropriation: "For payment of outstanding tuition loans to Department of Veterans Affairs health care professional employees (excluding physicians and dentists) who agree to remain in service for one year or more, \$5,000,000, to remain available until September 30, 1994: *Provided*, That the Secretary, in order to recruit and retain such employees, may make such payments, not to exceed \$3,000 during any calendar year, or \$12,000 in total, to any such employee who has an outstanding tuition loan from an educational institution approved by the Secretary that has led to a degree in the health care occupation in which such individual is employed: *Provided further*, That no payment shall be made in advance: *Provided further*, That regulations shall be promulgated by the Secretary to implement this program."

#### § 7602. Eligibility

(a)(1) To be eligible to participate in the Educational Assistance Program under subchapter II, III, or VI of this chapter, an individual must be accepted for enrollment or be currently enrolled as a student at a qualifying educational institution in a course of education or training that is approved by the Secretary and that leads toward completion of a degree in a field of education or training for which a scholarship may be awarded under subchapter II of this chapter, for which tuition reimbursement may be provided under subchapter III of this chapter, or for which a scholarship may be awarded under subchapter VI of this chapter, as the case may be.

(2) A qualifying educational institution for purposes of this section is an educational institution that is in a State and that (as determined by the Secretary) is an accredited institution.

(b) An individual is not eligible to apply to participate in the Educational Assistance Program under subchapter II, III, or VI of this chapter if the individual is obligated under any other Federal program to perform service after completion of the course of education or training of such individual referred to in subsection (a) of this section.

(Added Pub. L. 100-322, title II, §216(b), May 20, 1988, 102 Stat. 518, §4302; amended Pub. L. 101-366, title II, §205(c)(2), Aug. 15, 1990, 104 Stat. 441; renumbered §7602, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238; Pub. L. 102-83, §4(b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 404, 405; Pub. L. 105-368, title VIII, §805(2), Nov. 11, 1998, 112 Stat. 3358.)

#### AMENDMENTS

1998—Subsec. (a)(1). Pub. L. 105-368, §805(2)(A), substituted "subchapter II, III, or VI" for "subchapter I or II", substituted ", for which" for "or for which", and inserted before period at end ", or for which a scholarship may be awarded under subchapter VI of this chapter, as the case may be".

Subsec. (b). Pub. L. 105-368, §805(2)(B), substituted "subchapter II, III, or VI" for "subchapter I or II".

1991—Pub. L. 102-40 renumbered section 4302 of this title as this section.

Subsec. (a). Pub. L. 102-83 substituted "Secretary" for "Administrator" in pars. (1) and (2).

1990—Subsecs. (a)(1), (b). Pub. L. 101-366 inserted "under subchapter I or II of this chapter" after "Educational Assistance Program".

#### § 7603. Application and acceptance

(a)(1) To apply to participate in the Educational Assistance Program under subchapter II, III, V, or VI of this chapter, an individual shall submit to the Secretary an application for such participation together with an agreement described in section 7604 of this title under which the participant agrees to serve a period of obligated service in the Veterans Health Administration as provided in the agreement in return for payment of educational assistance as provided in the agreement.

(2) To apply to participate in the Educational Assistance Program under subchapter VII of this chapter, an individual shall submit to the Secretary an application for such participation.

(b)(1) An individual becomes a participant in the Educational Assistance Program upon the Secretary's approval of the individual's application and the Secretary's acceptance of the agreement (if required).

(2) Upon the Secretary's approval of an individual's participation in the program, the Secretary shall promptly notify the individual of that approval. Such notice shall be in writing.

(c)(1) In distributing application forms and agreement forms to individuals desiring to participate in the Educational Assistance Program, the Secretary shall include with such forms the following:

(A) A fair summary of the rights and liabilities of an individual whose application is approved (and whose agreement is accepted) by the Secretary, including a clear explanation of