

year under section 7692 of title 38, United States Code, as enacted by subsection (a), the Secretary of Veterans Affairs shall consider the anticipated needs of the Veterans Health Administration during the period 2 to 6 years in the future.”

#### § 7693. Eligibility; preferences; covered costs

(a) **ELIGIBILITY.**—An individual is eligible to participate in the Specialty Education Loan Repayment Program if the individual—

(1) will be eligible for appointment under section 7401 of this title to work in an occupation described in section 7692 of this title;

(2) owes any amount of principal or interest under a loan, the proceeds of which were used by or on behalf of that individual to pay costs relating to a course of education or training which led to a degree that qualified the individual for the position referred to in paragraph (1); and

(3) is—

(A) recently graduated from an accredited medical or osteopathic school and matched to an accredited residency program in a medical specialty described in section 7692 of this title; or

(B) a physician in training in a medical specialty described in section 7692 of this title with more than 2 years remaining in such training.

(b) **PREFERENCES.**—In selecting individuals for participation in the Specialty Education Loan Repayment Program under this subchapter, the Secretary may give preference to the following:

(1) Individuals who are, or will be, participating in residency programs in health care facilities—

(A) located in rural areas;

(B) operated by Indian tribes, tribal organizations, or the Indian Health Service; or

(C) affiliated with underserved health care facilities of the Department.

(2) Veterans.

(c) **COVERED COSTS.**—For purposes of subsection (a)(2), costs relating to a course of education or training include—

(1) tuition expenses;

(2) all other reasonable educational expenses, including expenses for fees, books, equipment, and laboratory expenses; and

(3) reasonable living expenses.

(Added Pub. L. 115-182, title III, §303(a), June 6, 2018, 132 Stat. 1464; amended Pub. L. 115-251, title II, §211(a)(12), Sept. 29, 2018, 132 Stat. 3176.)

#### Editorial Notes

##### AMENDMENTS

2018—Subsec. (a)(1). Pub. L. 115-251 substituted “will be eligible for appointment” for “is hired”.

#### Statutory Notes and Related Subsidiaries

##### PREFERENCE

Pub. L. 115-182, title III, §303(d), June 6, 2018, 132 Stat. 1467, as amended by Pub. L. 115-251, title II, §211(b)(6)(A), Sept. 29, 2018, 132 Stat. 3176, provided that: “In granting preference under section 7693 of title 38, United States Code, as enacted by subsection (a), the Secretary of Veterans Affairs shall determine whether

a facility of the Department of Veterans Affairs is underserved based on the criteria developed under section 401 of this Act [38 U.S.C. 8110 note].”

#### § 7694. Specialty education loan repayment

(a) **IN GENERAL.**—Payments under the Specialty Education Loan Repayment Program shall consist of payments for the principal and interest on loans described in section 7682(a)(2) of this title for individuals selected to participate in the Program to the holders of such loans.

(b) **FREQUENCY OF PAYMENT.**—The Secretary shall make payments for any given participant in the Specialty Education Loan Repayment Program on a schedule determined appropriate by the Secretary.

(c) **MAXIMUM AMOUNT; WAIVER.**—(1) The amount of payments made for a participant under the Specialty Education Loan Repayment Program may not exceed \$160,000 over a total of 4 years of participation in the Program, of which not more than \$40,000 of such payments may be made in each year of participation in the Program.

(2)(A) The Secretary may waive the limitations under paragraph (1) in the case of a participant described in subparagraph (B). In the case of such a waiver, the total amount of payments payable to or for that participant is the total amount of the principal and the interest on the participant’s loans referred to in subsection (a).

(B) A participant described in this subparagraph is a participant in the Program who the Secretary determines serves in a position for which there is a shortage of qualified employees by reason of either the location or the requirements of the position.

(Added Pub. L. 115-182, title III, §303(a), June 6, 2018, 132 Stat. 1465.)

#### § 7695. Choice of location

Each participant in the Specialty Education Loan Repayment Program who completes residency may select, from a list of medical facilities of the Veterans Health Administration provided by the Secretary, at which such facility the participant will work in a medical specialty described in section 7692 of this title.

(Added Pub. L. 115-182, title III, §303(a), June 6, 2018, 132 Stat. 1465.)

#### § 7696. Term of obligated service

(a) **IN GENERAL.**—In addition to any requirements under section 5379(c) of title 5, a participant in the Specialty Education Loan Repayment Program must agree, in writing and before the Secretary may make any payment to or for the participant, to—

(1) obtain a license to practice medicine in a State;

(2) successfully complete post-graduate training leading to eligibility for board certification in a specialty;

(3) serve as a full-time clinical practice employee of the Veterans Health Administration for 12 months for every \$40,000 in such benefits that the employee receives, but in no case for fewer than 24 months; and

(4) except as provided in subsection (b), to begin such service as a full-time practice employee by not later than 60 days after completing a residency.

(b) FELLOWSHIP.—In the case of a participant who receives an accredited fellowship in a medical specialty other than a medical specialty described in section 7692 of this title, the Secretary, on written request of the participant, may delay the term of obligated service under subsection (a) for the participant until after the participant completes the fellowship, but in no case later than 60 days after completion of such fellowship.

(c) PENALTY.—(1) An employee who does not complete a period of obligated service under this section shall owe the Federal Government an amount determined in accordance with the following formula:  $A = B \times ((T - S) \div T)$ .

(2) In the formula in paragraph (1):

(A) “A” is the amount the employee owes the Federal Government.

(B) “B” is the sum of all payments to or for the participant under the Specialty Education Loan Repayment Program.

(C) “T” is the number of months in the period of obligated service of the employee.

(D) “S” is the number of whole months of such period of obligated service served by the employee.

(Added Pub. L. 115-182, title III, §303(a), June 6, 2018, 132 Stat. 1465; amended Pub. L. 116-61, §6(8), Sept. 30, 2019, 133 Stat. 1117.)

#### Editorial Notes

##### AMENDMENTS

2019—Subsec. (c)(1). Pub. L. 116-61 struck out second closing parenthesis before period at end.

#### § 7697. Relationship to Educational Assistance Program

Assistance under the Specialty Education Loan Repayment Program may be in addition to other assistance available to individuals under the Educational Assistance Program.

(Added Pub. L. 115-182, title III, §303(a), June 6, 2018, 132 Stat. 1466.)

#### SUBCHAPTER IX—READJUSTMENT COUNSELING SERVICE SCHOLARSHIP PROGRAM

#### § 7698. Requirement for program

As part of the Educational Assistance Program, the Secretary shall carry out a scholarship program under this subchapter. The program shall be known as the Department of Veterans Affairs Readjustment Counseling Service Scholarship Program (in this subchapter referred to as the “Program”).

(Added Pub. L. 116-171, title V, §502(a), Oct. 17, 2020, 134 Stat. 815.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Pub. L. 116-171, title V, §502(c), Oct. 17, 2020, 134 Stat. 818, provided that: “The Secretary of Veterans Affairs

shall begin awarding scholarships under subchapter IX of chapter 76 of title 38, United States Code, as added by subsection (a), for programs of study beginning not later than one year after the date of the enactment of this Act [Oct. 17, 2020].”

#### § 7699. Eligibility; agreement

(a) IN GENERAL.—An individual is eligible to participate in the Program, as determined by the Readjustment Counseling Service of the Department, if the individual—

(1) is accepted for enrollment or enrolled (as described in section 7602 of this title) in a program of study at an accredited educational institution, school, or training program leading to a terminal degree in psychology, social work, marriage and family therapy, or mental health counseling that would meet the education requirements for appointment to a position under section 7402(b) of this title; and

(2) enters into an agreement with the Secretary under subsection (c).

(b) PRIORITY.—In selecting individuals to participate in the Program, the Secretary shall give priority to the following individuals:

(1) An individual who agrees to be employed by a Vet Center located in a community that is—

(A) designated as a medically underserved population under section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)); and

(B) in a State with a per capita population of veterans of more than five percent according to the National Center for Veterans Analysis and Statistics and the Bureau of the Census.

(2) An individual who is a veteran.

(c) AGREEMENT.—An agreement between the Secretary and a participant in the Program shall (in addition to the requirements set forth in section 7604 of this title) include the following:

(1) An agreement by the Secretary to provide the participant with a scholarship under the Program for a specified number of school years during which the participant pursues a program of study described in subsection (a)(1) that meets the requirements set forth in section 7602(a) of this title.

(2) An agreement by the participant to serve as a full-time employee of the Department at a Vet Center for a six-year period following the completion by the participant of such program of study (in this subchapter referred to as the “period of obligated service”).

(d) VET CENTER DEFINED.—In this section, the term “Vet Center” has the meaning given that term in section 1712A(h) of this title.

(Added Pub. L. 116-171, title V, §502(a), Oct. 17, 2020, 134 Stat. 815.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Secretary of Veterans Affairs to begin awarding scholarships under this subchapter for programs of study beginning no later than one year after Oct. 17, 2020, see section 502(c) of Pub. L. 116-171, set out as a note under section 7698 of this title.