



Rudisill Decision Updates

IDVS' EDUCATION TEAM WHITE SHEET, JANUARY 2025

On April 16, 2024, the [Supreme Court of the United States decided](#) that if a veteran served at least two periods of service - one that qualifies for the Montgomery GI Bill (MGIB) and another that qualifies for the Post-9/11 GI Bill (PGIB) - the beneficiary may be able to receive additional GI Bill® benefits.

WHO THIS DECISION IMPACTS

The beneficiary may be eligible for additional benefits if they:

- completed more than one [eligible period of service](#), and
- waived all or part of their MGIB benefits so they could use PGIB benefits.

If the beneficiary meets the criteria above, this chart may help to determine a recommended action to assist the beneficiary:

When the beneficiary is applying to use education benefits for the first time.	Apply to use your education benefits. VA will review the claim and notify the beneficiary of their eligibility.
When the beneficiary last received an education claim decision on or after August 15, 2018	No action is required from you. The beneficiary's claim will be reviewed automatically, and VA will notify them of their eligibility.
When the beneficiary last received an education claim decision before August 15, 2018	VA will review and determine the beneficiary's education benefit eligibility only after they submit a claim. To submit a claim, complete the VA Form 22-1995 . The beneficiary should indicate they are requesting a Rudisill review on page two of the online application. Once VA has received and evaluated the claim, the beneficiary will receive an official decision.

Note: By law, PGIB and MGIB eligibility is limited to a maximum of 48 months of combined benefits. Additionally, federal law prohibits the use of these benefits at the same time.

WHAT VA IS COMMUNICATING

BEFORE RULING	NOW
Beneficiaries eligible for both MGIB and PGIB were required to waive MGIB eligibility to begin using PGIB benefits.	Beneficiaries impacted by the Court's decision are no longer required to waive MGIB eligibility to use PGIB benefits when applying.
PGIB entitlement was limited to the amount of remaining MGIB entitlement.	PGIB entitlement is no longer limited to the amount of remaining MGIB entitlement, but beneficiaries are still subject to the 48-month limit for combined benefits under multiple programs.
Previous elections to waive MGIB could not be revoked.	Previous elections to waive MGIB to use PGIB can be revoked.

HOW VA IS COMMUNICATING UPDATES

- Direct email communication to beneficiaries
- E-blasts for those signed up to receive VA's Monthly Newsletter

WHERE TO FIND INFORMATION AND UPDATES REGARDING RUDISILL DECISION

Updates, eligibility information, relevant links, and FAQs is found at <https://benefits.va.gov/GIBILL/rudisill.asp>. For a simplified decision tree, beneficiaries can go to <https://benefits.va.gov/GIBILL/rudisill-decision-tree.asp> to help with how the Rudisill Decision may impact their education benefits and/or if the beneficiary needs to take any action.

HOW IDVS' EDUCATION TEAM IS ASSISTING BENEFICIARIES:

Because the scope of this decision is complex and only VA can determine eligibility, beneficiaries may reach out directly to VA one of two ways: Use the ASK.VA portal at <https://ask.va.gov> (*preferred method of communication with VA*) or call 888-442-4551.

Beneficiaries may also email the IDVS' Education Team at education@veterans.idaho.gov, and a team member will direct the beneficiary to the appropriate VA resources.