

**OREGON HOMECARE WORKERS SUPPLEMENTAL TRUST  
OREGON HOMECARE WORKERS BENEFIT TRUST**

**SUMMARY OF MATERIAL MODIFICATIONS**

The Boards of Trustees of the Oregon Homecare Workers Supplemental Trust and the Oregon Homecare Workers Benefit Trust have adopted the following changes to the Supplemental Trust and Benefit Trust Benefit Booklet. This document summarizes the changes. Please keep this document with your Benefit Booklet.

**Effective April 28, 2017, a new subsection entitled “Overpayments” is added after the subsection entitled “Claims and Appeal Procedure” on Page 25 as follows:**

Each Trust has a constructive trust, lien and/or an equitable lien by agreement in favor of the Trust on any overpaid or advanced benefits received by you or your representative (including an attorney) that are due to the Trust, and any such amount is deemed to be held in trust by you for the benefit of the Trust until paid to the Trust. By accepting benefits from the Trusts, you consent and agree that a constructive trust, lien, and/or equitable lien by agreement in favor of each applicable Trust exists with regard to any overpayment or advancement of benefits. In accordance with that constructive trust, lien, and/or equitable lien by agreement, you agree to cooperate with the Trust in reimbursing the Trust for all of its costs and expenses related to the collection of those benefits.

The Trust may recover overpaid benefits by offsetting all future benefits otherwise payable by the Trust on your behalf.

If you fail to reimburse the Trust and the Trust is required to pursue legal action against you to obtain repayment of the benefits advanced by the Trust, you shall pay all costs and expenses, including attorneys’ fees and costs, incurred by the Trust in connection with the collection of any amounts owed to the Trust or the enforcement of any of the Trust’s rights to reimbursement. The Trust has a right to file suit against you or your representative in any state or federal court that has jurisdiction over the Trust’s claims.

Any refusal by you to reimburse the Trust for an overpaid amount will be considered a breach of your agreement with the Trust that the Trust will provide the benefits available under this Benefit Booklet and you will comply with the rules of the Trust. Further, by accepting benefits from the Trust, you affirmatively waive any defenses you may have in any action by the Trust to recover overpaid amounts or amounts due under any rule of this Benefit Booklet, including but not limited to a statute of limitations defense or a preemption defense, to the extent permissible under applicable law.

Please contact the Trust Administrative Office if you have any questions.