

**AMENDMENT TO MASTER TRUST AGREEMENT**  
**OREGON SPECIAL NEEDS TRUST**

**Date of Amendment:** April 24, 2020

**Parties:** THE ARC OF OREGON (“Trustor”)  
KEYBANK NATIONAL ASSOCIATION (“Trustee”)

**RECITALS**

- A) Prior to this amendment, The Oregon Special Needs Trust (“the Trust”) document has contained the terms governing the administration of funds received by the Trust from a beneficiary and those received from a third-party for a beneficiary. Federal Statutes, including 42 USC sec 1396p(d)(4)(C) and other law, make the requirements for handling funds received directly from a beneficiary (first party funds) different from the requirements for handling funds received from third parties for a beneficiary. (third party funds).
- B) Section 3.4 of the Oregon Special Needs Master Trust agreement allows the Trustor and Trustee to amend the trust when it is deemed necessary to fulfill the purposes of the Trust.
- C) The Trustor and Trustee wish to amend the Oregon Special Needs Trust by dividing the Trust into two sub-trusts. The sub-trusts will be called “The First Party Oregon Special Needs Trust,” and the other will be called “The Third Party Oregon Special Needs Trust.”


**AMENDMENTS**

- 1. The Oregon Special Needs Master Trust Agreement is amended to create two subtrusts.
  - a) The first sub-trust will be known as the “The First Party Oregon Special Needs Trust” and the terms of that sub-trust shall govern the administration of assets received by the Oregon Special Needs Trust from a beneficiary which must be administered according to the provisions of 42 USC sec 1396p(d)(4)(C) and the rules promulgated thereunder.
  - b) The second sub-trust will be known as “The Third Party Oregon Special Needs Trust” and the terms of that sub-trust shall govern the administration of assets received by the Oregon Special Needs Trust from a third-party for the benefit of a beneficiary.

2. This amendment is not intended to divide the Oregon Special Needs Trust into two separate trusts as described in ORS 130.230 and the Oregon Specials Needs Trust will continue to operate under the same federal trust identification number that it used prior to this amendment.
3. For ease of administration the two sub-trusts described above will each have its own governing document identified as either the "First Party Oregon Special Needs Trust" or the "Third Party Oregon Special Needs Trust." Those documents are attached to this amendment as exhibits A and B and are incorporated into this amendment as if they were set forth in full.

IT IS SO AGREED:

**TRUSTOR: THE ARC OF OREGON**

By  \_\_\_\_\_

Name Paula Boga

Title Executive Director

**TRUSTEE: KEYBANK NATIONAL ASSOCIATION**

By  \_\_\_\_\_

Name Stephanie Toth on behalf of KeyBank, NA

Title Sr. Relationship Manager, AVP