

Rekhter v. Washington DSHS Judgment Administrator
c/o Gilardi & Co. LLC
P.O. Box 8060
San Rafael, CA 94912

Presorted
First-Class Mail
US Postage
PAID
Gilardi & Co

A court authorized this notice. This is not a solicitation from a lawyer.

IF YOU ARE A CARE PROVIDER WHO PERFORMED IN-HOME CARE SERVICES BETWEEN APRIL 2003 AND JUNE 2008, AND HAD HOURS ELIMINATED BY THE SHARED LIVING RULE, YOU ARE ELIGIBLE TO RECEIVE A PROPORTIONATE SHARE OF THE MONETARY AWARD FROM THIS JUDGMENT.

2D



Postal Service: Please Do Not Mark Barcode

WSRK1-**<<Claim7>>**-**<<CkDig>>**

<<FName>> **<<LName>>**

<<Addr1>> **<<Addr2>>**

<<City>>, **<<State>>** **<<Zip>>**

WSRK1

SUPERIOR COURT FOR THURSTON COUNTY, STATE OF WASHINGTON
REKHTER V. WASHINGTON DEPARTMENT OF SOCIAL & HEALTH SERVICES
CASE NO. 07-2-00895-8

NOTICE OF JUDGMENT

A judgment (“the Judgment”) in the above case has been entered in favor of the care providers. The Washington Department of Social and Health Services (DSHS) has paid the money judgment for the Shared Living Rule class action lawsuit. The Order Approving Plan of Administration and Distribution was entered on January 30, 2015. Under this plan, there will be a dual phase distribution process. In the first phase, pro rata awards will be sent to each class member. The second phase will commence after a period of two years. Any monies that go unclaimed from the first phase will be pro rata allocated to those members that cashed their first checks. Payment checks from the Class Judgment Fund are scheduled to be mailed to the eligible providers by July or August, 2015.

BASIC INFORMATION

1. Why did I get this notice?

You are a care provider who performed in-home care services between April 2003 and June 2008, and had hours eliminated by the Shared Living Rule.

2. What is the Judgment about?

The judgment from this class action lawsuit stems from the Washington Department of Social and Health Services’ (DSHS) implementation in 2003 of the Comprehensive Assessment and Reporting Evaluation (CARE) process. Part of the CARE process was the shared living rule, which automatically reduced assistance for in-home care by 15 percent for clients that live with their providers.

When DSHS reduced the authorized hours of support for a client pursuant to the shared living rule, it did not change or reduce the service plan’s list of services the provider was required to perform. As a result, live-in providers were required by contract to perform necessary services without compensation. The structure of the agreements also resulted in DSHS requiring live-in providers to perform the same services as live-out providers for less compensation.

Several lawsuits regarding this matter were consolidated in 2009. In this class action lawsuit, a jury found that the DSHS violated the implied duty of good faith and fair dealing in its contracts with individual providers who live with the DSHS clients for whom they provide care. After appeals, the verdict was upheld for the providers.

3. Who is entitled to payment under the Judgment?

Care providers who performed in-home care services between April 2003 and June 2008, and had hours eliminated by the Shared Living Rule are eligible to receive a proportionate share of the monetary award.

4. When will I get my check?

Payment checks from the Class Judgment Fund are scheduled to be mailed to the eligible providers by July or August, 2015.

GETTING MORE INFORMATION

5. How do I get more information?

For more information please contact the Rekhter v. Washington DSHS Judgment Administrator, c/o Gilardi & Co. LLC, Mailing Address: P.O. Box 8060, San Rafael, CA 94912, Phone: 877-308-5024, E-Mail: info@rekhter-dshs-classaction.com, Website: www.rekhter-dshs-classaction.com