

OASIS · AT A GLANCE

The Waskul settlement and what it means in meetings

A 2013 class action settlement already tells your CMH exactly how services are supposed to be decided. Most families have never heard its name, let alone said it out loud in a planning meeting.

BY JIM PALASTY · 10 MIN READ · A LEGAL SETTLEMENT MOST FAMILIES NEVER LEARN TO CITE

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CORE REQUIREMENTS THE WASKUL SETTLEMENT PLACED ON MICHIGAN CMHS

Comprehensive person-centered planning, needs-based authorization, institutionalization prevention, qualified staff, and quality monitoring. Five obligations your CMH already agreed to.

How it works

THREE STEPS

STEP 1

A lawsuit changed the rules, quietly

A 2013 class action settlement established binding obligations for how Michigan CMHs authorize and deliver services.



STEP 2

The obligations are specific

Person-centered planning, needs-based (not budget-based) authorization, and quality monitoring are all explicitly required.



STEP 3

Most families never learn the name

Waskul rarely comes up unprompted, even though it directly governs the meeting you're sitting in.

What Waskul requires of Michigan CMHs

Comprehensive person-centered planning	Genuine individualized planning, not a template
Needs-based authorization	Services based on documented need, not budget
Institutionalization prevention	Adequate services to support community living
Qualified staff	Staff trained and equipped to deliver planned services
Quality monitoring	Ongoing oversight of service quality statewide

THE SENTENCE THAT CHANGED THE ROOM'S TONE

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Beatrice sat through a planning meeting where a case manager repeatedly cited budget limitations as the reason her son's request couldn't be approved. She said one sentence: 'Under the Waskul settlement, services are supposed to be based on his documented needs, not budget constraints.' The room went quiet for a moment. The case manager didn't approve everything on the spot, but the conversation shifted from a budget defense to an actual discussion of documented need.

ONE SENTENCE DIDN'T WIN THE MEETING. IT CHANGED WHAT THE MEETING WAS ACTUALLY ABOUT.

What matters, at a glance

MICHIGAN SPECIFIC

What Waskul was about

A class action on behalf of individuals with developmental disabilities receiving CMH services, resolved by a 2013 settlement with ongoing monitoring.

Needs-based, not budget-based

The settlement explicitly requires services to be authorized based on individual documented need, not CMH budget constraints.

It gets ignored in practice

Despite being binding, Waskul's requirements aren't always visibly applied in day-to-day planning meetings.

A phrase you can actually use

'Under the Waskul settlement, services must be based on my adult child's documented needs, not CMH budget constraints.'

It's not a magic word

Citing Waskul doesn't guarantee an outcome. It does establish that you understand the legal framework governing the conversation.

Monitoring is ongoing

The settlement includes continued oversight, meaning documented violations can feed into a larger accountability record.

BRING THESE · CHECK AS YOU GO

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| ☐ A summary of the five core Waskul settlement requirements | ☐ Documentation of your family member's specific, assessed needs |
| ☐ Notes from prior meetings where budget language was used | ☐ The Waskul reference sentence, written out and ready to use |
| ☐ Michigan Protection and Advocacy Service's contact information | |

YOUR MOVE

When budget language dominates a planning meeting, here is what to do

- 1 Learn the five core Waskul requirements before your next meeting.
- 2 Listen for budget-based justifications during service discussions.
- 3 State clearly that services must be based on documented need under Waskul.
- 4 Ask for the specific needs-based reasoning behind any denial.
- 5 Document the meeting and any budget-based language used.
- 6 Escalate to Michigan Protection and Advocacy Service if the pattern continues.

Waskul doesn't guarantee approval. It guarantees the conversation has to be about need, not budget. That's worth insisting on out loud.

RESOURCES NAMED IN THIS POST

mpas.org · <https://www.mpas.org>

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ABOUT THE AUTHOR



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