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# Providing legal guidance in the wake of VT tragedy

With the Virginia Tech shootings leaving some college officials uncertain about legal mental-health guidelines, a Lake Success-based expert in mental-health law is advising Island colleges on existing laws and the support they offer.

Carolyn Reinach Wolf is the founder of Campus Behavioral Health Risk Consultants and a senior partner of the mental-health law practice at Abrams, Fensterman, Fensterman, Eisman, Greenberg, Formato & Einiger LLP. Parents are not being made aware of their children's behavioral issues, Wolf said, contributing to a lack of coordination among various campus departments.

Many colleges and universities are unclear about whether they have a legal right to set policies and take action when students appear to pose a risk to themselves or others, she added.

"They need to know that the law fully supports the school's ability to respond appropriately," Wolf said. "Pick your liability – would you rather be sued for breach of confidentiality or

wrongful death? I would much rather defend a lawsuit concerning notification of parents or others who could positively intervene when a student is in trouble than where a student has committed suicide or murdered fellow students. It's no contest."

Wolf is a nationally known practitioner in the field of mental health law. She is the 2008 incoming president of the Association for Healthcare Risk Management of New York State and boasts a law degree from the Hofstra University School of Law, along with a master's in health care administration from the Harvard School of Public Health and an MBA from Hofstra.

Wolf, who merged her private practice with Abrams, Fensterman four months ago, called for clarification of the directives in The Family Educational Rights and Privacy Act, which has led many campuses to err on the side of student privacy when behavioral issues arise. The act includes exceptions for health or safety emergencies, or when

a student is a tax dependent.

Another critical issue concerns the use of technology during a campus emergency. "Nothing supersedes human-to-human contact in an emergency," Wolf said. "There is no way to confirm that an e-mail or instant message has been received or action taken when e-mail or text messaging is used – and this is paramount, because when there is a crisis, time is of the essence."

Of all the new legislation proposed in the wake of the VT shootings, the most helpful would be laws that provide funding for early intervention training programs and provide clear guidance concerning the application of existing laws, according to Wolf.

Wolf's Campus Behavioral Health Risk Consultants considers mental-health issues from legal, clinical, public policy and law enforcement perspectives and provides education and training, as well as program development and materials in high-risk campus settings.

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