January 4, 2016

The Honorable Ron Wyden
United States Senate
221 Dirksen Senate Office Bldg.
Washington, DC 20510

Dear Senator Wyden,

On behalf of the American College Counseling Association (ACCA), the American College Health Association (ACHA), and the Association for University and College Counseling Center Directors (AUCCCD), we write to thank you for introducing the Campus Litigation Privacy Act of 2015 to amend the Family Educational Rights and Privacy Act of 1974 (FERPA).

The mission of ACCA is to be the interdisciplinary and inclusive professional home that supports emerging and state-of-the-art knowledge and resources for counseling professionals in higher education. ACHA is the non-profit health care association representing college and university health professionals from multiple disciplines whose principal collective interest is to advance the health of the nation’s 20 million college students. Representatives of AUCCCD member schools are counseling center directors focused on leadership and advancing the mission of higher education through innovation, education, and advocacy of college student mental health. We are in full support of the proposed legislation, and we applaud your efforts to codify in law that disclosure of a student’s medical records to an attorney representing an institution of higher education is permissible under FERPA only when the litigation relates directly to the treatment itself or the payment for that treatment.

We have long supported the privacy of students’ medical and mental health records with only a few carefully and narrowly defined exceptions that permit disclosure of a student’s medical record without written consent or a court order. We believe strongly that such privacy is a critical component to providing quality care on campus and to building trust in the patient-provider relationship. This trusting relationship is the foundation of effective treatment and we appreciate your efforts to protect that relationship for the benefit of America’s college students.
We thank you for your work and dedication, and look forward to working with you to secure passage of the Campus Litigation Privacy Act.

Sincerely,

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Amy M. Lenhart, MA, LPC, NCC
President of ACCA

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M. Jacob Baggott, MLS, 1SG (Ret.), FACHA
President of ACHA

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Micky M. Sharma, Psy.D.
President of AUCCCD