

March 22, 2020

כ"ו אדר תש"פ

I just spoke with Rabbi Schachter concerning keeping connections with those who are alone or vulnerable due to isolation, serious depression, or possible self inflicted harm on *Shabbat* or *Yom Tov*. He said that even a *sfek sfeika* of *sakkanot nefashot us docheh kol ha-Torah kulah*. He said that in these circumstances it would be permitted for someone to call them on the telephone from time to time on *Shabbat* and *Yom Tov*, and permitted to leave the computer on so that they can participate in a Seder or have conversations throughout *Yom Tov*. He said well this should not be publicized on the *rabbim*. It is up to each individual rabbi, knowing the individual circumstances, to make this decision and to guide accordingly.

Mark Dratch



כ"ח באדר המהודר התש"פ
24.03.20

שאלה

נשאלנו על ידי יהודי תלמיד חכם, האם ניתן להפעיל תוכנת זום או Meet או Google Due או תכנה אחרת בליל הסדר, המחברת בין זקנים ובני משפחותיהם, אשר אינם יכולים לשהות במחיצתם, עקב הפצת הנגיף. על מנת שיוכלו לעשות את הסדר בצוותא דרך התוכנה.

מסך אחד נמצא בבית הזקן ומסך אחר בבית המשפחה, והם מתחברים יחד בראיה ובדיבור ושמע. התוכנה והמחשב מופעלים מערב החג ואין צורך לעשות דבר ביום טוב. השאלה היא, האם לצורך עשיית הסדר אפשר להשתמש בתוכנה זו בהיתר לשעת חרום בלבד.

תשובה

ג' בעיות מרכזיות קיימות בשאלה זאת.

א. הפעלת המכשיר ביום טוב.

ב. עובדין דחול.

ג. חשש שיבואו להשתמש בהיתר בזה בימים טובים שלא לצורך זה.

א. באשר להיתר הדלקת חשמל ביום טוב, ידוע כי חלוקים בו חכמי ישראל הספרדים וחכמי צפון אפריקה, רובם ככולם מתירים ובהם הראשון לציון הרב בן ציון עוזיאל, הרב רפאל בן שמעון, הרבנים יוסף ושלום משאש, הרב משה מלכה והרב דוד שלוש זצ"ל ועוד. והרבה מחכמי אשכנז אוסרים (מדרבנן).

ברם, בענייננו אין צורך להפעיל את המכשיר, כי הוא מופעל בערב חג. רק שיש חשש שמא יכבה וידליק אותו. ובחשש זה נראה דאפשר לסמוך על המתירים לכתחילה.

ב. אשר לשאלה של עובדין דחול והפיכת החג לחול, נראה שאפשר להקל לצורך מצוה, כשם שהתירו שבות דשבות במקום מצוה, וכשם שהתירו למדוד מקוה ביום טוב לצורך מצוה.

ג. אשר לחשש שיבואו להשתמש בזה בימים טובים אחרים שלא לצורך זה, ברור לכולם שכל ההיתר הוא לשעת חרום בלבד. מה גם שחג הפסח הוא חג מיוחד, ובפרט ליל ההגדה שכולם רואים בו ארוע מיוחד שהוא ברית בין ה' לישראל. עוד נראה, שרבים מבני ישראל הצעירים, אילולי הקשר שלהם עם הסבא והסבתא, אפשר שכלל לא יסבו לשלחן הסדר, ורק הקשר עם הסבא, יגרום להם להשתתף במצות ההגדה ואכילת מצה. ובדור זה חשוב מאוד ענין השבת לב הבנים אל אבותם.

זאת ועוד, ענין נוסף יש בזה, והוא הצורך להסיר עצב מן המבוגרים והזקנים, לתת להם מוטיבציה להמשיך להאבק על חייהם, ולמנוע מהם דכאון ורפיון נפשי, אשר יכול להביא אותם להתייאש מן החיים.

על כן נראה לנו להתיר, תוך הדגשה שזה רק למצב חרום, ורק לצורך ליל הסדר תש"פ ולמי שזקוק לזה. וכשם שמתירים בשבת, רפואה לחולה, שאינו מסוכן, על מנת לרפא אותו ממחלתו כך זה.

ויתקיים בנו הפסוק והסירחתי מחלה מקרבך.

ועל זה באנו על החתום

הרב משה אלחרר רב העיר שלומי	הרב שלמה בן חמו רב העיר קרית גת	הרב אליהו אבר'ל ראב"ד ירושלים	הרב יהודה שלוש רב שכונות מזרח נתניה
הרב אייל ורד ר"מ במכון מאיר	הרב דניאל בוסקילה ראש המרכז החינוכי הספרדי	הרב חיים אמסלם אב"ד אהבת הגר	הרב רפאל דלויה רב בי"כ אוהל יצחק
הרב דוד זנו רב מושב שלוה	הרב יוסף בן חמו רב בי"כ שבת אחים	הרב ד"ר דורון דנינו בית מועצת יח"ד	הרב יצחק בן דוד רב בצור הדסה
הרב דוד לנקרי רב בי"כ שמ"ש ומגן			



IMPORTANT Mental Health and the Three Day Yom Tov

During today's Q and A session, Rav Mordechai Willig said that rabbis should be available via telephone to the members of their community who may be experiencing emotional or mental challenges which may result in pikuach nefesh and safek pikuach nefesh situations during Yom Tov and Shabbat. Those who have answering machines can listen for voice messages as they are coming in and those with mobile phones can monitor their calls and text messages on Shabbat and Yom Tov. It is important for rabbis to share their concern for their community's welfare and their availability to the vulnerable members of their community.

Important Resource:

Free anonymous support line set up by Amudim, staffed by a coalition of mental health professionals, in partnership with Child & Adult Psychological Services, Empower Health Center, Madraigos Midwest, Naaleh Cleveland, Nesivos, Relief, Shalom Task Force, The United Task Force, The Living Room, and numerous mental health practitioners in private practice. The support line currently has over 60 volunteers answering phones from 8 AM to 11 PM EST. Calls that come in after-hours or that cannot be answered by available volunteers are transferred to a live 24/7 call center to be returned as quickly as possible.

Staff members are monitoring all calls to ensure that urgent matters are replied to without delay, even overnight, Shabbat and Yom Tov.

The line is under the joint direction of Dr. David Pelcovitz, chairman of Amudim's clinical advisory board, Dr. Shloime Zimmerman, co-chair of Amudim's clinical advisory board, and Myriam Lankry, Amudim's clinical director, and will be operational over Yom Tov and Shabbos, as per Rabbi Cohen's psak halacha. Callers can reach out for help by dialing **888-7-AMUDIM, 888-726-8346** or **718-972-3000**, with caller ID disabled on incoming calls to ensure complete confidentiality; and help is also available via email at support@amudim.org.

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If the government or a physician has decided that an individual must remain in isolation over the course of Yom Tov and this individual has a psychological condition where physicians who know this patient have determined that there is a possibility that this person being alone over the course of Yom Tov would be in a situation of pikuach nefesh (possible suicide) if the individual was not able to communicate or speak with family members, then the family members must reach out to this person over Yom Tov to speak on the phone or use the internet by leaving a connection open from before Yom Tov. Rav Moshe Feinstein has decided that, in certain circumstances, psychological danger is considered life threatening. Rabbi Soloveitchik went further and noted, in the name of his grandfather Rav Chaim Soloveitchik, that even if there is a concern that someone will lose his or her mind even if their life is not in danger, that too is considered a case of Pikuach Nefashos.

If a person is physically ill and alone and the physicians have determined that there is a possibility of the condition deteriorating further to a point of being life threatening, then the family must remain in contact using electronic devices with that person over the course of Yom Tov in order to check on the person's well being.

If a parent who is ill lives outside of Israel and the parent has a non-Jewish aid then the children who live in Israel are allowed to call the non-Jew and speak with the non-Jew when it is Yom Tov outside of Israel and not Yom Tov in Israel in order to check in on the parent. Those family members in Israel can also ask the non-Jew to show the parent a live screen of the family so that the patient can see that his family members are safe and healthy. It is also proper to tell the non-Jewish aid in America that if the patient is upset or concerned over Yom Tov and the patient would like to speak to family members, then the non-Jew should remind the patient that it is Passover or the Sabbath and that after the Sabbath and holiday is over they will certainly be able to speak on the phone.

However, if someone is not as ill as described above, however they must be confined and alone because of the circumstances related to the Coronavirus then they may not use any electronic devices in order to connect to family members on Shabbos and Yom Tov. Although it is painful and sad to be alone and people want to be with family and friends, this is not a sakanas nefashos, a life threatening situation, and there is no place at all to allow the violation of Shabbos and Yom Tov.

If a person were to leave the phone on before before Yom Tov and conduct a Pesach Seder from their home so that others can follow along (like Baalei Teshuvah who may not know how to run a Seder)

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there may be reason to be lenient under great and pressing circumstances. However, to leave a computer screen on and to have people watch and connect over the internet is a greater concern of violating Shabbos and Yom Tov since it creates images and pictures when the people move. Another possible suggestion for those who are unfamiliar with the Pesach Seder is to create videos of how to run a Pesach Seder and in the weeks leading up to Pesach people can watch and learn from this video in order to know what to do when Pesach arrives. However, the video may not be played over Shabbos and Yom Tov. If the individual in need of help is handicapped and these preparations from before Yom Tov are not sufficient then they should rely on listening to the live Seder over the phone.

If the government and medical professionals have said that it is not safe for parents and children to be together then children may not visit for Pesach, even at the insistence of the parents. Not listening to the parents in this situation is not a violation of Kibbud Av V'Em.



צבי שכטר
כ"ט אדר תש"פ

We Are Facing a Mental Health Crisis This Pesach

By Asher Lovy

As we get closer to the impending three-day Yom Tov, I'm getting more afraid. I'm becoming increasingly terrified of coming back from Yom Yov to find that there has been a rash of suicides in the community committed by people who could not handle the isolation of a three-day Yom Tov alone. While this pandemic has been jarring for all of us and we're all still caught up in the whiplash of a world changing ever more rapidly for the worse, I'm afraid that we're forgetting about some of our most vulnerable community members.

A three-day Yom Tov is dangerous for people who live alone or are otherwise suffering with the isolation of social distancing and quarantine. It presents an actual, life-threatening risk to many singles, seniors, people living in abusive situations, and people who struggle with mental health. While there have been some efforts to figure out ways to account for those risks and mitigate them through various halachic accommodations, not enough is being done at the moment by our rabbis and community leaders.

On March 22 the RCA sent an email to its members with a brief directive from Rav Hershel Schachter regarding the use of electronic communication for vulnerable people on Yom Tov. The directive was very broad in its application, and was intended to give rabbis very wide latitude to issue heterim to members of their community who might be in danger due to

isolation over a three-day Yom Tov. Because the directive was shared with me in confidence and was never meant for public dissemination I won't quote its contents, but suffice it to say this directive was broad enough to address virtually every situation a rabbi might encounter dealing with this issue.

The basis of this directive was, of course, the idea that we have to take pikuach nefesh very seriously, that in such cases we must err on the side of saving lives, and that issues relating to mental health must be taken as seriously with regards to pikuach nefesh as physical dangers to human life.

When I found out about this directive, I immediately started contacting RCA member rabbis urging them to make some kind of public statement to their communities about the potential halachic considerations available for vulnerable people. Additionally, I wanted the RCA to make its own public statement about the issue, as well as establish a dedicated collection of rabbis who could serve as public consultants for questions related to the use of electronics on Yom Tov.

I wanted this for three reasons:

1. People might feel embarrassed to ask their rabbis questions about their mental health. In many communities there is still a stigma associated with mental health, and people may feel too embarrassed to reach out to their rabbis.

2. Not every rabbi is suited to this purpose. Not every rabbi is understanding of mental health challenges, or knowledgeable enough to render accurate piskei halacha on this subject. Not every rabbi fosters the kinds of relationship with their community members that would lend itself to that kind of discussion. Loathe as they may be to admit it, we need to account for the possibility that some rabbis may be unsympathetic, or inclined to incorrectly err on the side of observance, so to speak.
3. Not everybody has a rabbi. There are many otherwise observant Jews who don't have any kind of relationship with a rabbi, whether that's because distance prevents them from being part of a Jewish community, because they are young and haven't yet found a rabbi of their own, or because they had a negative experience with their previous rabbi and haven't yet found a replacement.

My efforts were met with mixed results. Some of the rabbis I spoke to did start immediately speaking about it with their community members. Some went a step further and pushed their colleagues to do the same. Some felt uncomfortable addressing the issue publicly at all, but after some coaxing did so anyway. Some haven't responded.

Meantime, the issue picked up steam. On March 24 Five Sepharadi rabbis in Israel made international headlines within the Jewish press for issuing a ruling allowing members of their community to use Zoom for the sederim under certain circumstances. Much of the coverage took the

psak out of context, and immediately resulted in backlash by many prominent rabbis.

The next day, Rav Hershel Schachter issued the following public psak on the use of electronic communication on Yom Tov:

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While the fact that he made such a psak publicly is certainly commendable, and the psak does acknowledge that mental health is just as important when discussing pikuach nefesh as physical health, this psak was made in the shadow of the controversy over the Sepharadi rabbi's psak, and it shows. While it's also understandable that a private guidance issued only to rabbis intended to give them the tools they need to then issue their own piskei halacha would be far broader than a psak intended for the general public to apply at their own discretion, the degree to which this psak is guarded and qualifies seems to be a result of the controversy.

The RCA included this psak on its website in a list of general halachos for Pesach during COVID-19.

And while that is significant and commendable, it's still not enough. We are not doing enough. Our rabbis aren't doing enough. Our communities are not doing enough.

Some rabbis have been proactive about sending emails or other communications to their community members directly addressing the concerns of vulnerable people in their communities. Some of these messages explicitly state that mental health dangers are considered pikuach nefesh equal

to physical health dangers and encourage community members to reach out before Pesach to discuss options for coping with isolation over a three day Yom Tov. Some even went as far as to encourage community members to call them on Pesach itself if they feel they're in distress and need someone to reach out to.

Other rabbis have opted instead to hold shiurim on the topic and address it during those, no doubt assuming that whatever gets discussed during the shiur will filter out to those who may have missed it. Recordings will likely be made available.

Still others have opted to address the issue very obliquely, asking community members to reach out to them if they have any concerns about their mental health during isolation over the three day Yom Tov, but giving no background or accompanying information.

Many other rabbis have said nothing to their communities about the issue, opting instead to wait until contacted by a community member concerned for their safety over Yom Tov, or are proactively but privately contacting community members they believe to be in potential danger over Yom Tov.

Overall there doesn't seem to be much of a coherent response by the community at large to address this issue. There's a psak here, a psak there, some are comprehensive, some are minimal, and some are clearly operating with a

complete lack of understanding of the realities of the challenges faced by members of their community.

For example, in his psak Rav Schachter opened by saying that if an “individual has a psychological condition where physicians who know this patient have determined that there is a possibility that this person being alone over the course of Yom Tov would be in a situation of pikuach nefesh (possible suicide) if the individual was not able to communicate or speak with family members, then the family members must reach out to this person over Yom Tov to speak on the phone or use the internet by leaving a connection open from before Yom Tov.”

The qualification requiring that the person have a diagnosed condition in order to avail themselves of electronic communication on Yom Tov is flatly ignorant of reality. Many people who struggle with suicidal ideation have never been diagnosed. Many have never even seen a therapist. Whether that’s due to stigma, internalized shame, lack of resources, lack of access, or any other reason, the reality of the danger is no less pressing. Furthermore, waiting until someone is experiencing active suicidal ideation before allowing them to avail themselves of electronic communication on Yom Tov is irresponsible.

Additionally, addressing suicide as the baseline for leniency is itself irresponsible. There are many other mental health concerns for which allowances may be issued. For example, exacerbation or relapse of eating disorders, self harm, exacerbation of severe anxiety disorders, severe depression,

potential triggering of manic episodes or cycling in a person with Bipolar Disorder, potential triggering of psychosis, and so on. These are complicated issues that can't be lumped into the category of diagnosed potential risk of suicide.

The issue of course when approaching this kind of public psak is how to balance the need to be inclusive of everyone who may need to avail themselves of the psak against a desire to not give an overly broad public psak which will either be misapplied or dismissed as too lenient. Rabbi Aryeh Klapper wrote a very detailed article laying out the various considerations that go into this process and how they might best be balanced against each other.

There are a number of problems I'm seeing as I examine more and more of the communications sent to different communities.

1. There is no coherent response to this problem. There is no organizational effort to centralize the response. It's happening piecemeal and haphazardly.
2. The politics and meta-halacha of the issue is getting in the way of addressing the actual problem.
3. There is a fundamental lack of understanding about the realities of the mental health issues faced by many of the vulnerable people these piskei halacha are meant to address, and an apparent lack of will or desire to either become more educated or contact trusted experts on the subject.
4. There is a lack of self-awareness on the part of many rabbis of how their communities interact with them.

This is especially true of many larger congregations and communities.

5. There is a fundamental lack of trust that laypeople, if actually given the details of the halacha, might apply it reasonably.
6. There is very little consideration being given to the infrastructure necessary to actually put these piskei halacha into effect.

To that end, I suggest the following:

1. There needs to be a group of rabbis and mental health professionals put together to address these concerns. These professionals should be available not only to consult on and put forth halachic policy, but also be available for consultation by those who may not have a rabbi or mental health professional of their own.
2. There should be a guidance issued to community rabbis to proactively discuss the issue with their community members. This guidance should be issued by the group mentioned above. This way there is uniformity in the message, and community rabbis who might feel unequipped to address this issue with their congregation have some materials to help them.
3. Community rabbis must have access to mental health professionals in the group to consult about the shailos they receive. Not every rabbi can be expected to understand the nuanced realities of mental health issues, and may need help issuing these piskei halacha.
4. If piskei halacha are going to be issued to people that they may use electronic communication on Yom Tov, there must be someone available to pick up on the

other end when they reach out. A psak allowing electronic communication is meaningless if there isn't anyone for them to communicate with. Community rabbis should either designate themselves as contact people or designate someone else as a contact person (ideally a mental health professional), and should make sure that members who receive an allowance for electronic communication have someone that they're comfortable talking to when they're vulnerable, whether that's the appointed central contact person, a friend, or relative.

5. Because a rabbi, no matter how well connected to their congregants and no matter how large or small their community, can't be certain what their congregants may be going through with regard to their mental health, they should make sure to include resources in their communications for crisis intervention services like the National Suicide Prevention Lifeline, and encourage their community members to call those resources if they feel their lives are in danger.

We are living through a crisis the likes of which most people haven't experienced in their lifetime, and that calls for extraordinary measures. I urge laypeople reading this to contact their rabbis and impress upon them how seriously this must be taken, and urge them to discuss this openly with their communities.



April 7, 2020
י"ג ניסן תש"פ

Ensuring Everyone a Safe Passover

As we enter the holiday of *Pesach* during this time of crisis and upheaval, we are deeply concerned about the safety and welfare of some of the members of our community. The social isolation which is so necessary at this time can significantly impact a person's mental or physical well-being. The upcoming three day *yom tov* of Passover and *Shabbat*, during which observant Jews will not use telephones and other forms of electronic communication, may increase someone's sense of isolation and depression, and may negatively impact vulnerable individuals. Our Torah places high value on the preservation of life. *Pikuach nefesh* (saving a life) overrides almost every other *mitzvah* in the Torah. *Pikuach nefesh*, in cases of potential physical or mental harm, requires us to act in ways that are otherwise prohibited.

Because of our great concern, in consultation with our *poskim*, we share the following instructions:

Those who are at risk of mental deterioration must not wait for severe symptoms, such as suicidal ideation (thinking about committing suicide), to develop before calling for help; preventative calls are Halachically obligatory. Furthermore, it is important to do all we can to prevent hospitalization. In the current circumstances, avoiding the exposure to Covid-19 that may occur if at a hospital is an important factor in protecting one's health. One who feels at any risk of physical danger or depression due to mental, physical, substance abuse, or abuse issues, or other grave disorders, is required to use a phone on *Yom Tov* or *Shabbat* to call for help.

Whom should they call?

In cases of immediate danger, call 911. In other cases, some may prefer to call a therapist, friend, family member, rabbi, the hotline at Amudim (888-7-AMUDIM, 888-726-8346 or 718-972-3000), or the National Suicide Prevention Lifeline (1-800-273-8255).

Those with a friend or family member who might call them for such a reason, must leave their phones on during *Shabbat* and *Yom Tov* and monitor the caller ID of calls received. They should not hesitate to answer the phone or return a call when that person calls on *Shabbat* or *Yom Tov* and may speak as long as is necessary. As public figures known to many, communal rabbis must monitor their phones throughout *Yom Tov* and *Shabbat*. If the caller seems to be in immediate danger, they must call 911. If they are not sure what is best for the caller, they should consult with a mental health professional for guidance or call 911. These calls should be encouraged and supported by all of us without judgment or stigma.

Those who know someone who is at risk—a family member, friend or neighbor—should reach out to him/her in a way that maintains the restrictions of social distancing. It is permissible to call him/her on the telephone on *Shabbat* or *Yom Tov*.

In non-emergency situations, one should make and answer calls with a *shinui* (for example, using one's weaker hand or a knuckle). In emergency situations, one should call for help in the fastest and most efficient way possible.

We pray for an end to this terrible pandemic, for the recovery of those afflicted with the virus, and for the safety and well-being of all those who struggle during these difficult times.

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