



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN, TEXAS 78711

**JOHN L. HILL
ATTORNEY GENERAL**

February 14, 1974

The Honorable Charles LeMaistre
Chancellor
University of Texas System
601 Colorado Street
Austin, Texas 78701

Open Records Decision No. 24

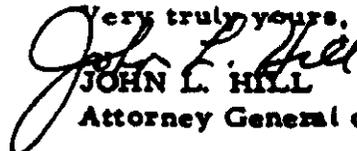
Dear Chancellor: LeMaistre:

The daughter of a former patient at the Cancer Center of the University of Texas System, located at Houston, has requested a copy of the report of the autopsy performed upon her mother. She has cited Article 6252-17a, Vernon's Texas Civil Statutes, the Open Records Act, as the basis for her request.

Autopsies must either be performed as part of an official determination of cause of death or consent must be secured from one of those named in Article 49.05, Vernon's Texas Code of Criminal Procedure. See Open Records Decision No. 21 (1973). The daughter, who now asks for a copy of the report, authorized this autopsy as next of kin of her mother, and apparently the Cancer Center recognized her standing when it relied on her authorization.

Under these circumstances it is our opinion that, if the daughter had a relationship sufficiently close that the hospital was authorized to do the autopsy on her consent, her special interest is sufficient to warrant disclosure of the report to her. Article 49.05, V. T. C. C. P., supra. We do not find it necessary to decide whether, under other circumstances, the report would be subject to disclosure as "public information" under the Open Records Act.

Very truly yours,


JOHN L. HILL
Attorney General of Texas