



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

January 15, 1990

Mr. A. W. Pogue
Commissioner
State Board of Insurance
1110 San Jacinto
Austin, Texas 78701-1998

Dear Mr. Pogue:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 6929; this decision is OR90-025.

The State Board of Insurance (SBI) received two open records requests for certain workers' compensation information pertaining to Pilgrim's Pride Corporation of America (Pilgrim's). We have considered the exception you claimed, namely section 3(a)(4), and reviewed the documents at issue. Your request for an open records decision is governed by a previous determination of this office, Open Records Decision No. 95 (1975).

In this instance, this office believes that the SBI and Pilgrim's has adequately demonstrated that the experience rating or modifier, the payroll and loss data, and the amount Pilgrim's pays in workers' compensation insurance premiums may be withheld pursuant to section 3(a)(4). The number of claims filed and the disposition and amounts paid on the claims are, however, public information. Open Records Decision No. 533 (1989). The nature of claims are also public unless identified individuals' privacy interests are implicated. Industrial Found. of the South v. Texas Indus. Accident Bd., 540 S.W.2d 668 (Tex. 1976), cert. denied, 430 U.S. 930 (1977).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a

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published open records decision. If you have questions about this ruling, please refer to OR90-025.

Yours very truly,

*Open Government Section
of the Opinion Committee*

Assistant Attorney General
Open Government Section
of the Opinion Committee
Approved by Susan Garrison

SG/RWP/le

Ref.: ID#'s 6929, 6969, 7022, 6984

Enclosure: Documents Sent

cc: Bruce Hight
Austin American-Statesman

George Kuempel
The Dallas Morning News