



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

March 15, 1990

Mr. Bill Buida
Assistant General Counsel
Litigation Section
Texas Department of Human Services
P.O. Box 149030
Austin, Texas 78714-9030

OR90-103

Dear Mr. Buida:

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# 8074.

The Texas Department of Human Services received an open records request for "reports of abuse, neglect, or deaths attributed to abuse or neglect in the last three years" at three specific halfway houses. We have considered the exception you claimed, specifically section 3(a)(1), and have reviewed the documents at issue. A previous determination of this office, Attorney General Opinion JM-851 (1988), resolves your request. Each of the individuals who are the subjects of these reports are clients of the Adult Protective Services division of your agency. Records tending to identify such clients are made confidential by section 48.083 of the Human Resources Code. For this reason, you must withhold the requested information.

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 published open records decision. If you have questions about this ruling, please refer to OR90-103.

Yours very truly,

A handwritten signature in cursive script that reads "Jim Moellinger".

Jim Moellinger
Assistant Attorney General
Opinion Committee

JM/RWP/le

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Ref.: ID# 8074

cc: Phil Archer
Channel Two News
KPRC-TV Houston
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