



THE ATTORNEY GENERAL  
OF TEXAS

JIM MATTON  
ATTORNEY GENERAL

June 12, 1990

Mr. Phil Steven Kosub  
City Attorney  
City of Seguin  
185 East Houston Street  
San Antonio, Texas 78205-2230

OR90-221

Dear Mr. Kosub:

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# 9110.

We have considered the exception you claimed, specifically, section 3(a)(1), and have reviewed the documents at issue. We agree that the confidentiality provisions of section 81.046 of the Health and Safety Code, formerly article 4419b-1, section 306, are applicable to these health release forms. See also V.T.C.S. art. 4495b, § 5.08 (patient records created by physician are confidential). A previous determination of this office, Open Records Decision No. 407 (1984), a copy of which is enclosed, resolves your request. For this reason, you may 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 OR90-221.

Yours very truly,

A handwritten signature in cursive script that reads "Kay H. Guajardo".

Kay H. Guajardo  
Assistant Attorney General  
Opinion Committee

KHG/le

Ref.: ID# 9110

Enclosure: Open Records Decision No. 407 (1984)

cc: Gary L. Hartman  
P.O. Box 5  
Stockdale, Texas 78160