



Office of the Attorney General
State of Texas

August 24, 1992

DAN MORALES
ATTORNEY GENERAL

Louise Waddill, Ph.D., R.N.
Executive Director
Board of Nurse Examiners
Box 140466
Austin, Texas 78714

OR92-501

Dear Dr. Waddill:

You have submitted two requests for determinations as to whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your requests were assigned ID# 15936 and ID# 15870. Both files concern requests for files of investigations undertaken by the Board of Nurse Examiners ("the board") pursuant to article 4525(b), V.T.C.S., authorizing the board to investigate complaints against registered nurses to determine whether disciplinary proceedings are in order. Accordingly, we will deal with both requests in this ruling.

We have considered the exception you claimed, specifically section 3(a)(1), and have reviewed the documents at issue. As we advised in OR92-371, article 4525(g) provides that all materials connected with complaints and investigations under article 4525 are confidential and may not be disclosed except under certain circumstances inapplicable to the requests before us here.¹ For this reason, you may withhold the requested information.

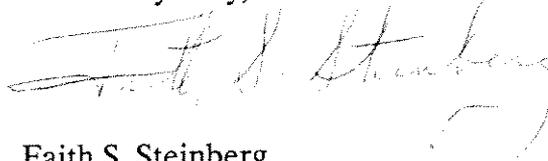
Because the applicable statutes clearly resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records

¹We note that the subject of ID# 15936 actually is not a registered nurse; however, we believe that the fact that the subject was investigated under article 4525(b) pursuant to a complaint renders the investigation reports confidential under article 4525(g).

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decision. If you have questions about this ruling, please refer to OR92-501.

Yours very truly,



Faith S. Steinberg
Assistant Attorney General
Opinion Committee

FS/lmm

Ref.: ID# 15870
ID# 15936

Enclosure: OR92-371

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