



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 29, 1994

Ms. Belinda R. Perkins
General Counsel
Texas State Board of Pharmacy
8505 Cross Park Drive, Suite 110
Austin, Texas 78754-4594

OR94-423

Dear Ms. Perkins:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 25360.

You have received an open records request for the licensing file of a licensee of the Texas State Board of Pharmacy. You state that you have released the file, but that you redacted the licensee's college and licensing examination grades. This office has held that scores on licensing examinations and college transcripts in the possession of licensing agencies are public information under the act and not protected by the common-law right of privacy. Open Records Decision No. 157 (1977) (copy enclosed). While the Texas Pharmacy Act, V.T.C.S. article 4542a-1, makes confidential investigative files and information compiled by the board in connection with investigations, that protection does not extend to other records of the board. See V.T.C.S. art. 4542a-1, §§ 17(q), 27A(d); Open Records Decision No. 493 (1988). Therefore, you must release the entire file.

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 contact this office.

Yours very truly,

A handwritten signature in cursive script that reads "Margaret A. Roll".

Margaret A. Roll
Assistant Attorney General
Open Government Section

MAR/PIR/rho

Ref: ID# 25360

Enclosures: Open Records Decision No. 157
Submitted documents

cc: Mr. Jaime Courtney
Huntington Research Associates, Ltd.
225 South Main, Suite 200
Royal Oak, Michigan 48067
(w/o enclosures)