



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 17, 1997

Mr. Pat D. Westbrook
Executive Director
Texas Commission for the Blind
P.O. Box 12866
Austin, Texas 78711

OR97-0864

Dear Mr. Westbrook:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 105298.

The Texas Commission for the Blind (the "commission") received a request for information relating to the military base operations of the commission's Business Enterprises Program. You have released some of the requested information. However, you contend that two client contracts maintained in the commission's files are confidential under federal and state law and are, therefore, excepted from required public disclosure pursuant to section 552.101 of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

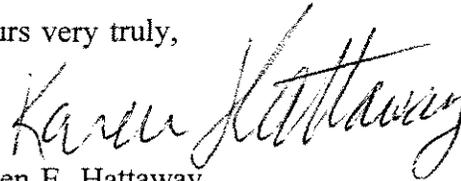
Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Section 91.059 of the Human Resources Code provides as follows:

Except for purposes directly connected with the administration of the vocational rehabilitation program and according to commission rules, no person may solicit, disclose, receive, use, or knowingly permit the use of records or other information concerning an applicant for or recipient of vocational rehabilitation services that is directly or indirectly acquired by an officer or employee of the state or its political subdivisions in the course of his or her official duties.

Additionally, a commission rule specifically provides for the confidentiality of "client information . . . including lists of names and addresses, records of agency evaluations, reports of medical examinations and treatment, and financial information." 40 T.A.C. § 161.5. The information at issue is confidential pursuant to these provisions. Therefore, we conclude that the information is excepted from disclosure under section 552.101 of the Government Code.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have any questions about this ruling, please contact our office.

Yours very truly,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 105298

Enclosures: Submitted documents

cc: Mr. Michael R. Underhill
6717 Mabell Street
Fort Worth, Texas 76180
(w/o enclosures)

Mr. Peter A. Nolan
Sheinfeld, Maley & Kay, P.C.
301 Congress Ave., Suite 1400
Austin, Texas 78701
(w/o enclosures)