



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

January 11, 2010

Ms. Cynthia Villarreal Reyna  
Section Chief Agency Counsel  
Legal and Regulatory Affairs Division  
Texas Department of Insurance  
P.O. Box 149104, Mail Code 110-1A  
Austin, Texas 78714- 9104

OR2010-00504

Dear Ms. Villarreal-Reyna:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 367026 (TDI # 97358).

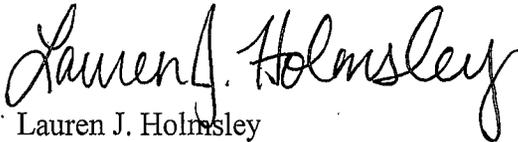
The Texas Department of Insurance (the "department") received a request for records pertaining to a specified complaint. You claim that the requested information is excepted from disclosure in accordance with a previous determination issued by this office.

This office issued Open Records Letter No. 2005-01938 (2005), which serves as a previous determination under section 552.301(a) of the Government Code for the department with respect to information in an investigative file maintained under section 413.002, 413.0511, or 413.0512 of the Labor Code. You assert that previous determination is applicable to the requested information. Thus, pursuant to that previous determination, the department must withhold the requested information in accordance with Open Records Letter No. 2005-01938. *See Gov't Code § 552.301(a); Open Records Decision No. 673 at 7-8 (2001) (governmental body may rely on previous determination when elements of law, fact, and circumstances have not changed, decision concludes specific, clearly delineated category of information is excepted, and governmental body is explicitly informed it need not seek a decision from this office to withhold information in response to future requests).*

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.oag.state.tx.us/open/index\\_orl.php](http://www.oag.state.tx.us/open/index_orl.php), or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free at (888) 672-6787.

Sincerely,



Lauren J. Holmsley  
Assistant Attorney General  
Open Records Division

LJH/jb

Ref: ID# 367026

c: Requestor