



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

September 30, 2010

Ms. Robin J. Chapman
Assistant General Counsel
Texas Department of State Health Services
P.O. Box 149347
Austin, Texas 78714-9347

OR2010-14882

Dear Ms. Chapman:

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# 395577 (DSHS File No. 17734-2010).

The Texas Department of State Health Services (the "department") received a request for all correspondence pertaining to a specified facility. You state you are releasing some information. You claim portions of the submitted information are excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

We note you inform us that the submitted information is the same information that was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2010-12965 (2010). In that ruling, we determined the department may not withhold any portion of the submitted information. Thus, we conclude that the department must continue to release that information in accordance with Open Records Letter No. 2010-12965. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As our ruling is dispositive, we need not address your arguments.

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, 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,

A handwritten signature in black ink, appearing to read 'Chris Schulz', followed by a long horizontal line extending to the right.

Chris Schulz
Assistant Attorney General
Open Records Division

CS/eb

Ref: ID# 395577

Enc. Submitted documents

c: Requestor
(w/o enclosures)