



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 9, 2012

Ms. Jordan Hale
Assistant Attorney General
Assistant Public Information Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2012-10555

Dear Ms. Hale:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code, the Public Information Act (the "Act"). Your request was assigned ID# 458401 (PIR# 12-33315).

The Office of the Attorney General (the "OAG") received a request for information pertaining to specified entities and persons. The OAG asserts the information is excepted from disclosure under sections 552.101, 552.107, and 552.108 of the Government Code. We have considered the OAG's claimed exceptions to disclosure and have reviewed the submitted sample of information.¹

The OAG seeks to withhold the information its Civil Medicaid Fraud Division and Medicaid Fraud Control Unit compiled in connection with Medicaid fraud investigations. In Open Records Letter No. 2012-08540 (2012), this office issued a previous determination authorizing the OAG to withhold information it compiles in connection with a Medicaid fraud investigation under section 552.101 of the Government Code in conjunction with

¹We assume the representative sample of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

section 531.1021(g) of the Government Code without the need of requesting a ruling from this office when requests for such information are not made by individuals or entities who are authorized to obtain such information under chapter 531 of the Government Code. See Gov't Code § 552.301(a); Open Records Decision No. 673 (2001) (listing elements of second type of previous determination under section 552.301(a) of the Government Code). The OAG explains the requestor is not an individual or entity authorized to obtain the information under chapter 531 of the Government Code. Thus, the OAG must withhold the information in accordance with the previous determination issued in Open Records Letter No. 2012-08540 and we need not address the OAG's other assertions.

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,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/sdk

Ref: ID# 458401

Enc: Submitted documents

c: Requestor
(w/o enclosures)