



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

December 13, 1995

Ms. Kay Boccella
Assistant City Attorney
City of Austin
P.O. Box 1088
Austin, Texas 78767-1088

OR95-1401

Dear Ms. Boccella:

You ask for a clarification of a previous letter ruling, Open Records Letter No. 95-252 (1995), as to 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# 33908.

Previously, Brackenridge Hospital, a department of the City of Austin (the "city") received a request for "a copy of the 'TravCorp[s]' bid for 'Travel Nursing Services.'" In Open Records Letter No. 95-252 (1995), this office stated that the requestor had informed us that he was not interested in certain information characterized as "nurse pool and customer information." Therefore, Open Records Letter No. 95-252 (1995) did not address whether that information was excepted from disclosure. The remaining requested information, characterized as "pricing information," was held to be public information. A question has now arisen as to whether excerpts from certain documents are "nurse pool and customer information" and therefore not included within the requested information.

"Pricing information" includes proposed hourly rates for nurses' services and outlines other terms of proposed contracts with Brackenridge Hospital. By contrast, "nurse pool and customer information" includes breakdowns of the numbers, specialties, and availability of the nurses in TravCorps' pool, as well as a list of certain TravCorps' customers and a summary of how TravCorps has matched its nurses with particular hospitals over time. After a review of the submitted documents, we conclude that pages 1 and 13 of the proposal contain "nurse pool and customer information" and are not included within the request. However, pages 8 and 11 of the proposal and page 2 of the BAFO contain terms TravCorps proposed for a contract with Brackenridge. Therefore, the city must disclose pages 8 and 11 of the proposal and page 2 of the BAFO.

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 under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee
Assistant Attorney General
Open Records Division

SES/LRD/rho

Ref.: ID# 33908

Enclosures: Submitted documents

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