



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 20, 1997

Mr. Rickey L. Faulkner
Brown McCarroll & Oaks Hartline
Counsel for Sabine Valley Center
220 Energy Centre
1127 Judson Road
Longview, Texas 75601-5157

OR97-2329

Dear Mr. Faulkner:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 109384.

The Sabine Valley Center (the "center") asked this office to determine whether certain records must be publicly disclosed. The center is a community center established under section 534.001 of the Health & Safety Code. The center is a governmental unit as established through section 534.001(c)(1) of the Health & Safety Code. A request has been made for a child's treatment records from a member of the public. You assert that the requested information is excepted from required public disclosure under section 552.101 of the Government Code.

Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." This section encompasses information protected by other statutes. Accordingly, you argue that section 552.101 of the Government Code and section 595.001 of the Health & Safety Code prevent the disclosure of the records at issue. You further argue that the records are confidential under section 595.001 of the Health & Safety Code as the records pertain to the identity, diagnosis, evaluation, or treatment of a person within prescribed activity or program constraints. Additionally, you point out that the requested records do not fall within any of the exceptions set forth under section 595.003 and 595.004 of the Health & Safety Code. We agree. You must withhold the records in their entirety 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 on as a previous

determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



Janet F. Monteros
Assistant Attorney General
Open Records Division

JIM/gle

Ref.: ID# 109384

Enclosures: Submitted documents

cc: Mr. J. T. Frazier
P.O. Box 469
Big Sandy, Texas 75755
(w/o enclosures)