



June 16, 1999

Ms. Moira Parro
Assistant District Attorney
Dallas County
411 Elm Street
Dallas, Texas 75202

OR99-1669

Dear Ms. Parro:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 124893.

The Dallas County Department of Health and Human Services (the "department") received a request for the department's file related to reports of hepatitis at a named cafeteria. You claim that the requested information is excluded from the disclosure requirements of Government Code chapter 552 by section 81.046 of the Health and Safety Code. We have considered the exception you claim and reviewed the submitted information.

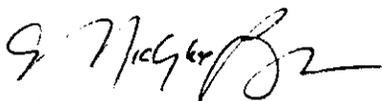
Section 81.046 of the Health and Safety Code, with exceptions that do not apply here, prohibits the release of reports, records, and information relating to cases or suspected cases of reportable diseases. This office has held that this statute is "a broad confidentiality provision applicable to information relating to reportable diseases in the possession of a county health department, whether received as reports from health professionals or prepared in connection with the department's investigation of a disease or health condition." Open Records Decision No. 577 (1990).

The submitted information includes a copy of a public notice. We are of the opinion that this notice was neither received as a report from health professionals nor prepared in connection with the department's investigation of a disease or health condition. This item of information therefore does not fall within the ambit of section 81.046 of the Health and Safety Code. The balance of the submitted information is excepted from disclosure by that statute.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Jay Burns", with a stylized flourish at the end.

Michael Jay Burns
Assistant Attorney General
Open Records Division

MJB/nc

Ref: ID# 124893

Encl. Submitted documents

cc: Ms. Pam Ridgell
Law Offices of Fred Misko, Jr.
3811 Turtle Creek Boulevard, 19th Floor
Dallas, Texas 75219
(w/o enclosures)