



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 30, 2006

Ms. Cynthia Villarreal-Reyna
Section Chief, Agency Counsel
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR2006-05643

Dear Ms. Villarreal-Reyna:

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# 250331.

The Texas Department of Insurance (the "department") received a request for information pertaining to applicants for certification as workers' compensation health care networks. You claim that portions of the requested information are excepted from disclosure under sections 552.101, 552.136, and 552.137 of the Government Code.¹ You also contend that the requested information may contain proprietary information subject to exception under the Act. Accordingly, you state, and provide documentation showing, that you notified the following interested third parties of the department's receipt of the request for information and of each company's right to submit arguments to this office as to why the information at issue should not be released to the requestor: Concentra Integrated Services, Inc. ("Concentra"); Southwest Medical Provider Network ("Southwest"); Memorial Hermann Health Network Providers ("Memorial Hermann"); Select Network Care, Ltd., ("Select"); CorVel Healthcare Corporation ("CorVel"); National ChoiceCare ("NCC"); Liberty Mutual Managed Care, Inc. ("Liberty Mutual"); First Health/St. Paul Traveler's HCN ("St. Paul"); First Health TX HCN ("First Health"); First Health/AIGCS TX HCN ("AIGCS"); GENEX

¹You inform us that the department has redacted social security numbers from the requested information pursuant to section 552.147 of the Government Code. Section 552.147(b) of the Government Code authorizes a governmental body to redact a living person's social security number from public release without the necessity of requesting a decision from this office under the Act.

Services, Inc. (GENEX); CompKey/First Health (“CompKey”); International Rehabilitation Associates, Inc. (“International”); The Hartford Workers’ Compensation Health Care Network (FH) (“Hartford FH”); The Hartford Workers’ Compensation Health Care Network (AWCA) (“Hartford AWCA”); Specialty Risk Services Texas Workers’ Compensation Health Care Network (“SRS”); Specialty Risk Services Texas Workers’ Compensation Health Care Network AWCA (“SRS AWCA”); SHA, L.L.C. (“SHA”); and Zurich Services Corporation Health Care Network (HCN) (“Zurich”). *See* Gov’t Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have received correspondence on behalf of Select, CorVel, St. Paul, First Health, AIGCS, GENEX, CompKey, Hartford FH, Hartford AWCA, SRS, and SRS AWCA. We have considered the submitted arguments and reviewed the submitted information.

Initially, we note that the department informs us that the requestor has excluded from his request any contracts contained in the submitted certification applications and the provider lists previously addressed in Open Records Letter No. 2006-04182 (2006). *See* Gov’t Code § 552.222 (governmental body may ask requestor to clarify or narrow scope of request). As such information is not encompassed by the instant request, it is not responsive and we do not address its availability in this ruling.²

Further, we note that the submitted applications pertaining to SRS AWCA and Zurich reflect that they were received by the department after the date on which the instant request for information was received. As the department did not maintain these applications on the date the request was received, we find that they are not responsive to the request. Accordingly, this ruling does not address the availability of the applications pertaining to SRS AWCA and Zurich, and the department is not required to release these applications in response to the request.

We also note that an interested third party is allowed ten business days after the date of its receipt of the governmental body’s notice under section 552.305(d) to submit its reasons, if any, as to why information relating to that party should be withheld from public disclosure. *See* Gov’t Code § 552.305(d)(2)(B). As of the date of this letter, Concentra, Southwest, Memorial Hermann, NCC, Liberty Mutual, International, and SHA have not submitted to this office any reasons explaining why their information should not be released. We thus have no basis for concluding that any portion of the submitted information pertaining to Concentra, Southwest, Memorial Hermann, NCC, Liberty Mutual, International, and SHA constitutes proprietary information. *See, e.g.*, Gov’t Code § 552.110; Open Records

²Because the requestor has excluded contracts from the scope of his request, we need not address arguments submitted to this office under sections 1305.102, 1305.152, and 1305.154 of the Insurance Code for withholding those portions of the certification applications at issue consisting of contracts.

Decision Nos. 661 at 5-6 (1999) (to prevent disclosure of commercial or financial information, party must show by specific factual evidence, not conclusory or generalized allegations, that release of requested information would cause that party substantial competitive harm), 552 at 5 (1990) (party must establish *prima facie* case that information is trade secret), 542 at 3 (1990). Therefore, the department may not withhold any portion of the submitted information based on the proprietary interests of Concentra, Southwest, Memorial Hermann, Select, NCC, Liberty Mutual, International, and SHA.

Next, we address GENEX's claim that its letter dated February 17, 2006 is not responsive to the instant request because it was not submitted as part of its certification application. The department represents to this office that, except for any contracts and the provider lists previously addressed in Open Records Letter No. 2006-04182, the submitted information relating to GENEX is responsive to the request. Accordingly, we must rely on the department's determination that the letter at issue is responsive to the request. *See* Open Record Decision No. 590 at 1 n. 1 (1991) (stating that in determining whether information is responsive, a governmental body has a duty to make a good faith effort to relate the request to information that it holds).

Select, GENEX, and CompKey each assert that it submitted its certification application with the understanding and expectation that certain information contained therein would remain confidential. We note, however, that information that is subject to disclosure under the Act may not be withheld simply because the party submitting it anticipates or requests confidentiality. A governmental body's promise to keep information confidential is not a basis for withholding that information from the public, unless the governmental body has specific authority to keep the information confidential. *See* Open Records Decision No. 541 at 3 (1990) ("[T]he obligations of a governmental body under the [predecessor to the] Act cannot be compromised simply by its decision to enter into a contract). *See* Attorney General Opinion JM-672 (1987); Open Records Decision No. 514 (1988); *see also Indus. Found. v. Tex. Indus. Accident Bd.*, 540 S.W.2d 668, 677 (Tex. 1976) (governmental agency may not bring information within scope of predecessor to section 552.101 by promulgation of rule; to imply such authority merely from general rule-making powers would be to allow agency to circumvent very purpose of predecessor to Act). Consequently, the submitted information must fall within an exception to disclosure in order to be withheld.

We next address GENEX's and Select's objections to the overall breadth and scope of the request. The fact that it may be burdensome to provide the information at issue does not relieve a governmental body of its responsibility to comply with the Act. *Indus. Found.*, 540 S.W.2d at 687 (cost or difficulty in complying with predecessor of Act does not determine availability of information). GENEX also objects to the release of any responsive documents created after the instant request was received. We note that the Act does not require a governmental body to disclose information that did not exist when the request was received. *See Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S.W.2d 266 (Tex. App.—San Antonio 1978, writ dismissed); Open Records Decision No. 452 at 3 (1986).

Therefore, information received by the department after the date on which the request was received is not responsive and need not be released.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This section encompasses information made confidential by other statutes. You claim that the submitted biographical affidavits contain criminal history record information ("CHRI"). CHRI "means information collected about a person by a criminal justice agency that consists of identifiable descriptions and notations of arrests, detentions, indictments, informations, and other formal criminal charges and their dispositions," but does not include "driving record information maintained by [the Department of Public Safety ("DPS")] under Subchapter C, Chapter 521, Transportation Code." Gov't Code § 411.082(2).

Federal regulations prohibit the release of CHRI maintained in state and local CHRI systems to the general public. See 28 C.F.R. § 20.21(c)(1) ("Use of criminal history record information disseminated to noncriminal justice agencies shall be limited to the purpose for which it was given."), (2) ("No agency or individual shall confirm the existence or nonexistence of criminal history record information to any person or agency that would not be eligible to receive the information itself."). Under chapter 411 of the Government Code, the department may obtain CHRI from DPS or from another criminal justice agency for certain purposes. *Id.* §§ 411.106, .087(a)(2). However, CHRI so obtained is confidential and may only be disclosed in very limited instances. *Id.* § 411.106(b); *see also id.* § 411.087 (b) (restrictions on disclosure of CHRI obtained from DPS also apply to CHRI obtained from other criminal justice agencies). Upon review of the information at issue, we find that no portion of this information consists of CHRI obtained from DPS or from another criminal justice agency. Therefore, we conclude none of the submitted information may be withheld under section 552.101 in conjunction with federal law and chapter 411 of the Government Code.

Section 552.101 of the Government Code also encompasses the doctrine of common law privacy, which protects information if (1) the information contains highly intimate or embarrassing facts the publication of which would be highly objectionable to a reasonable person, and (2) the information is not of legitimate concern to the public. *Indus. Found.*, 540 S.W.2d at 685. The type of information considered intimate and embarrassing by the Texas Supreme Court in *Industrial Foundation* included information relating to sexual assault, pregnancy, mental or physical abuse in the workplace, illegitimate children, psychiatric treatment of mental disorders, attempted suicide, and injuries to sexual organs. 540 S.W.2d at 683. In addition, this office has found that personal financial information not relating to a financial transaction between an individual and a governmental body, *see* Open Records Decision Nos. 600 (1992), 545 (1990), and an individual's criminal history when compiled by a governmental body, *cf. United States Dep't of Justice v. Reporters Comm. for Freedom of the Press*, 489 U.S. 749, 764 (1989) (when considering prong regarding individual's privacy interest, court recognized distinction between public records found in courthouse

files and local police stations and compiled summary of information and noted that individual has significant privacy interest in compilation of one's criminal history), are excepted from required public disclosure under common law privacy. Based upon our review, we have marked the personal financial information that must be withheld under section 552.101 in conjunction with common law privacy. With regard to the information the department has marked as criminal history, we find that this information is not a compilation of these individuals' criminal histories and is therefore not protected by common law privacy. Furthermore, upon review of the remaining submitted information, we find that it is not protected by common law privacy. Thus, the department may not withhold any of the remaining information pursuant to section 552.101 in conjunction with common law privacy.

GENEX also raises section 552.101 of the Government Code in conjunction with section 1305.503(b) of the Insurance Code. Section 1305.503 of the Insurance Code provides:

b) Confidential information provided to or obtained by the department under this section remains confidential and is not subject to disclosure under Chapter 552, Government Code. The department may not release, and a person may not gain access to, any information that:

- 1) could reasonably be expected to reveal the identity of an injured employee; or
- 2) discloses provider discounts or differentials between payments and billed charges for individual providers or networks.

Ins. Code § 1305.503. Upon review of GENEX's arguments and the information at issue, we find that GENEX has failed to demonstrate how disclosure of its information would reveal the identity of an injured employee or disclose provider accounts or differentials between payments and billed charges for individual providers or networks. *See id.* As GENEX has failed to demonstrate how its information is confidential under section 1305.503(b) of the Insurance Code, none of its information may be withheld under section 552.101 on that basis.

Select, St. Paul, First Health, AIGCS, and GENEX raise section 552.104 of the Government Code. Section 552.104 excepts information from disclosure if a governmental body demonstrates that the release of the information would cause potential specific harm to its interests in a particular competitive situation. *See Gov't Code § 552.104; see also Open Records Decision Nos. 593 at 2 (1991), 463 (1987), 453 at 3 (1986).* Section 552.104 is a discretionary exception that protects only the interests of a governmental body, as distinguished from exceptions which are intended to protect the interests of third parties. *See Open Records Decision Nos. 592 (1991)* (statutory predecessor to section 552.104 is

designed to protect interests of governmental body in competitive situation, and not interests of private parties submitting information to government), 522 (1989) (discretionary exceptions in general). As the department does not raise section 552.104, this section is not applicable to the information at issue. *See* Open Records Decision No. 592 (1991) (stating that governmental body may waive section 552.104). Accordingly, we conclude that the department may not withhold any portion of the submitted information under section 552.104.

Select, CorVel, St. Paul, First Health, AIGCS, GENEX, CompKey, Hartford FH, Hartford AWCA, and SRS raise section 552.110 of the Government Code. Section 552.110 protects: (1) trade secrets, and (2) commercial or financial information the disclosure of which would cause substantial competitive harm to the person from whom the information was obtained. *See* Gov't Code § 552.110(a), (b). Section 552.110(a) protects the property interests of private parties by excepting from disclosure trade secrets obtained from a person and privileged or confidential by statute or judicial decision. *See* Gov't Code § 552.110(a). A "trade secret"

may consist of any formula, pattern, device or compilation of information which is used in one's business, and which gives [one] an opportunity to obtain an advantage over competitors who do not know or use it. It may be a formula for a chemical compound, a process of manufacturing, treating or preserving materials, a pattern for a machine or other device, or a list of customers. It differs from other secret information in a business in that it is not simply information as to single or ephemeral events in the conduct of the business, as for example the amount or other terms of a secret bid for a contract or the salary of certain employees A trade secret is a process or device for continuous use in the operation of the business. Generally it relates to the production of goods, as for example, a machine or formula for the production of an article. It may, however, relate to the sale of goods or to other operations in the business, such as a code for determining discounts, rebates or other concessions in a price list or catalogue, or a list of specialized customers, or a method of bookkeeping or other office management.

RESTATEMENT OF TORTS § 757 cmt. b (1939); *see also Hyde Corp. v. Huffines*, 314 S.W.2d 763, 776 (Tex.), *cert. denied*, 358 U.S. 898 (1958); Open Records Decision Nos. 552 at 2 (1990), 255 (1980), 232 (1979), 217 (1978).

There are six factors to be assessed in determining whether information qualifies as a trade secret:

- (1) the extent to which the information is known outside of [the company's] business;

- (2) the extent to which it is known by employees and others involved in [the company's] business;
- (3) the extent of measures taken by [the company] to guard the secrecy of the information;
- (4) the value of the information to [the company] and to its competitors;
- (5) the amount of effort or money expended by [the company] in developing this information; and
- (6) the ease or difficulty with which the information could be properly acquired or duplicated by others.

RESTATEMENT OF TORTS § 757 cmt. b (1939); *see also* Open Records Decision Nos. 319 (1982), 306 (1982), 255 (1980), 232 (1979). This office must accept a claim that information subject to the Act is exempted as a trade secret if a *prima facie* case for exemption is made and no argument is submitted that rebuts the claim as a matter of law. Open Records Decision No. 552 (1990). However, we cannot conclude that section 552.110(a) is applicable unless it has been shown that the information meets the definition of a trade secret and the necessary factors have been demonstrated to establish a trade secret claim. Open Records Decision No. 402 (1983).

Section 552.110(b) protects “[c]ommercial or financial information for which it is demonstrated based on specific factual evidence that disclosure would cause substantial competitive harm to the person from whom the information was obtained[.]” Gov’t Code § 552.110(b). This exception to disclosure requires a specific factual or evidentiary showing, not conclusory or generalized allegations, that substantial competitive injury would likely result from release of the information at issue. *Id.*

Based on our review of the submitted arguments and the information at issue, we find that Select, CorVel, GENEX, Hartford FH, Hartford AWCA, and SRS have made a *prima facie* case that portions of each company’s information are protected as trade secrets. Moreover, we have received no arguments that would rebut these claims as a matter of law. Thus, we have marked the portions of the applications pertaining to Select, CorVel, GENEX, Hartford FH, Hartford AWCA, and SRS that the department must withhold pursuant to section 552.110(a). We find, however, that these companies have failed to demonstrate that any other portion of their respective information qualifies as a trade secret for purposes of section 552.110(a). Additionally, we find that St. Paul, First Health, CompKey, and AIGCS have failed to make a *prima facie* case that any of their respective information is protected as trade secrets. *See* Open Records Decision No. 552 at 5-6 (1990); *see also* RESTATEMENT OF TORTS § 757 cmt. b (1939). We therefore determine that no portion of the remaining information at issue is exempted from disclosure under section 552.110(a). Further, we conclude that Select, CorVel, St. Paul, First Health, AIGCS, GENEX, CompKey, Hartford

FH, Hartford AWCA, and SRS have failed to demonstrate that any portion of the remaining information at issue constitutes commercial or financial information, the release of which would cause these companies substantial competitive harm. *See Oper. Records Decision Nos. 661 (1999)* (for information to be withheld under commercial or financial information prong of section 552.110, business must show by specific factual evidence that substantial competitive injury would result from release of particular information at issue), 319 at 3 (1982) (information relating to organization, personnel, market studies, professional references, qualifications and experience not ordinarily excepted from disclosure under statutory predecessor to section 552.110). We therefore determine that no portion of the remaining information at issue is excepted from disclosure under section 552.110(b).

We also understand Select to assert that section 552.117 is applicable to portions of the submitted information.³ Section 552.117 excepts from disclosure the home addresses and telephone numbers, social security numbers, and family member information of current or former officials or employees of a governmental body who request that this information be kept confidential under section 552.024. *See Gov't Code § 552.117(a)(1)*. Upon review, however, we determine that no portion of the submitted information pertains to the home addresses, telephone numbers, social security numbers, or family member information of current or former employees of the department. Therefore, section 552.117 is inapplicable to the submitted information.

Next, we address CompKey's claim that its information is excepted from disclosure under section 552.131 of the Government Code. Section 552.131 relates to economic development information and provides in part:

(a) Information is excepted from [required public disclosure] if the information relates to economic development negotiations involving a governmental body and a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and the information relates to:

- (1) a trade secret of the business prospect; or
- (2) commercial or financial information for which it is demonstrated based on specific factual evidence that disclosure would cause substantial competitive harm to the person from whom the information was obtained.

³Although Select raises section 552.024 of the Government Code, we note that this section is not an exception to disclosure under the Act. Rather, this section permits an employee of a governmental body to choose whether to allow public access to certain information relating to the employee that is held by the employing governmental body. *See Gov't Code § 552.024*. Section 552.117 of the Government Code is the proper exception to raise in this instance. Accordingly, we address Select's section 552.024 claim under section 552.117.

(b) Unless and until an agreement is made with the business prospect, information about a financial or other incentive being offered to the business prospect by the governmental body or by another person is excepted from [required public disclosure].

Gov't Code § 552.131(a)-(b). Section 552.131(a) excepts from disclosure only "trade secret[s] of [a] business prospect" and "commercial or financial information for which it is demonstrated based on specific factual evidence that disclosure would cause substantial competitive harm to the person from whom the information was obtained." *Id.* This aspect of section 552.131 is co-extensive with section 552.110 of the Government Code. *See* Gov't Code § 552.110(a)-(b). CompKey has failed to explain how the submitted information relates to economic development negotiations involving itself and the department. *See* Gov't Code § 552.131. Accordingly, we conclude that the department may not withhold any portion of CompKey's information pursuant to section 552.131(a). Furthermore, we note that section 552.131(b) is designed to protect the interest of governmental bodies, not third parties. As the department does not raise section 552.131(b) as an exception to disclosure, we find that no portion of CompKey's information is excepted under section 552.131(b).

Section 552.136 of the Government Code provides that "[n]otwithstanding any other provision of this chapter, a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential." Gov't Code § 552.136. Accordingly, the department must withhold the insurance policy and bank account numbers we have marked pursuant to section 552.136.

Section 552.137 of the Government Code excepts from disclosure "an e-mail address of a member of the public that is provided for the purpose of communicating electronically with a governmental body" unless the member of the public consents to its release or the e-mail address is of a type specifically excluded by subsection (c). *See* Gov't Code § 552.137(a)-(c). Section 552.137 does not apply to a government employee's work e-mail address because such an address is not that of the employee as a "member of the public" but is instead the address of the individual as a government employee. The e-mail addresses you have marked and the additional e-mail addresses we have marked do not appear to be of a type specifically excluded by section 552.137(c). You do not inform us that the relevant members of the public have affirmatively consented to the release of these e-mail addresses. Therefore, the department must withhold the e-mail addresses you have marked and the additional e-mail addresses we have marked under section 552.137.

Finally, we note that some of the submitted information may be protected by copyright. A custodian of public records must comply with the copyright law and is not required to furnish copies of records that are copyrighted. Attorney General Opinion JM-672 (1987). A governmental body must allow inspection of copyrighted materials unless an exception applies to the information. *Id.* If a member of the public wishes to make copies of copyrighted materials, the person must do so unassisted by the governmental body. In making copies, the member of the public assumes the duty of compliance with the

copyright law and the risk of a copyright infringement suit. See Open Records Decision No. 550 (1990)

In summary, we conclude that the department must withhold the following: (1) the personal financial information we have marked in the submitted biographical affidavits pursuant to section 552.101 of the Government Code in conjunction with common law privacy; (2) the information we have marked in the applications pertaining to Select, CorVel, GENEX, Hartford FH, Hartford AWCA, and SRS pursuant to section 552.110(a) of the Government Code; (3) the insurance policy and bank account numbers we have marked pursuant to section 552.136 of the Government Code; and (4) the e-mail addresses you have marked and the additional e-mail addresses we have marked pursuant to section 552.137 of the Government Code. The remaining information must be released, but any information protected by copyright must be released in accordance with copyright law.

This letter ruling is limited to the particular records 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 records or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For example, governmental bodies are prohibited from asking the attorney general to reconsider this ruling. Gov't Code § 552.301(f). If the governmental body wants to challenge this ruling, the governmental body must appeal by filing suit in Travis County within 30 calendar days. *Id.* § 552.324(b). In order to get the full benefit of such an appeal, the governmental body must file suit within 10 calendar days. *Id.* § 552.353(b)(3), (c). If the governmental body does not appeal this ruling and the governmental body does not comply with it, then both the requestor and the attorney general have the right to file suit against the governmental body to enforce this ruling. *Id.* § 552.321(a).

If this ruling requires the governmental body to release all or part of the requested information, the governmental body is responsible for taking the next step. Based on the statute, the attorney general expects that, upon receiving this ruling, the governmental body will either release the public records promptly pursuant to section 552.221(a) of the Government Code or file a lawsuit challenging this ruling pursuant to section 552.324 of the Government Code. If the governmental body fails to do one of these things, then the requestor should report that failure to the attorney general's Open Government Hotline, toll free, at (877) 673-6839. The requestor may also file a complaint with the district or county attorney. *Id.* § 552.3215(e).

If this ruling requires or permits the governmental body to withhold all or some of the requested information, the requestor can appeal that decision by suing the governmental body. *Id.* § 552.321(a); *Texas Dep't of Pub. Safety v. Gilbreath*, 842 S.W.2d 408, 411 (Tex. App.—Austin 1992, no writ).

Please remember that under the Act the release of information triggers certain procedures for costs and charges to the requestor. If records are released in compliance with this ruling, be sure that all charges for the information are at or below the legal amounts. Questions or complaints about over-charging must be directed to Hadassah Schloss at the Office of the Attorney General at (512) 475-2497.

If the governmental body, the requestor, or any other person has questions or comments about this ruling, they may contact our office. Although there is no statutory deadline for contacting us, the attorney general prefers to receive any comments within 10 calendar days of the date of this ruling.

Sincerely,



Caroline E. Cho
Assistant Attorney General
Open Records Division

CEC/eb

Ref: ID# 250331

Enc. Submitted documents

c: Mr. Eddie McKibbin
Optimum Health Care
1809 Raydon Drive
Arlington, Texas 76013
(w/o enclosures)

Cocentra Integrated Services, Inc.
Cocentra HCN
5080 Spectrum Drive, Suite 1200 West
Addison, Texas 75001
(w/o enclosures)

Mr. Michael P. Read
Cocentra Integrated Services, Inc.
Cocentra HCN
5130 Eisenhower Blvd., Suite 150
Tampa, Florida
(w/o enclosures)

Ref: ID# 250331

c: Ms. Sally Lopez
Director of Operations
Southwest Medical Provider Network
613 N.W. Loop 410, Suite 800
San Antonio, Texas 78109
(w/o enclosures)

Ms. Danielle Barrera
Memorial Hermann Health Network Providers
WorkLink
9301 SW Freeway, Suite 5000
Houston, Texas 77074
(w/o enclosures)

Mr. John D. Pringle
Law Offices of John D. Pringle
The Vaughn Building
807 Brazos, Suite 603
Austin, Texas 78701
(w/o enclosures)

Select Network Care, Ltd.
Vice President Chief Operations Officer
2001 Bryan Street, Suite 1920
Dallas, Texas 75201
(w/o enclosures)

Mr. James M. Loughlin
Stone Loughlin & Swanson LLP
P.O. Box 30111
Austin, Texas 78755
(w/o enclosures)

Ms. Laurel Coover
CorVel Healthcare Corporation
CorCare
15303 Dallas Parkway, Suite 300
Addison, Texas 75001
(w/o enclosures)

Ref: ID# 250331

c: Ms. Melissa West
National ChoiceCare, NCC ChoiceNet
P.O. Box 691205
San Antonio, Texas 78269
(w/o enclosures)

Liberty Mutual Managed Care, Inc.
Liberty Mutual Care Network
100 Liberty Way
Dover, New Hampshire 03820
(w/o enclosures)

Ms. Mary Baranowski
Liberty Mutual Managed Care, Inc.
Liberty Mutual Care Network
750 Riverpoint Drive
West Sacramento, California 95605
(w/o enclosures)

Ms. Karen Weitendorf
First Health/St. Paul Travelers HCN
3200 Highland Avenue
Downers Grove, Illinois 60515
(w/o enclosures)

Ms. Karen Weitendorf
First Health TX HCN
3200 Highland Avenue
Downers Grove, Illinois 60515
(w/o enclosures)

Ms. Karen Weitendorf
First Health/AIGCS TX HCN
3200 Highland Avenue
Downers Grove, Illinois 60515
(w/o enclosures)

Ms. Polly McGraw
GENEX Services, Inc.
440 East Swedesford Road, Suite 1000
Wayne, Pennsylvania 19087
(w/o enclosures)

Ref: ID# 250331

c: Ms. Monica L. Luebker
Figari & Davenport
3400 Bank of America Plaza
901 Main Street
Dallas, Texas 75202-3796
(w/o enclosures)

Ms. Kelly M. Weigand
First Health Group Corp.
4141 N. Scottsdale Road
Scottsdale, Arizona 85251
(w/o enclosures)

Ms. Claire Onks
CompKey/FirstHealth
Forte, Inc.
7600 Chevy Chase, Suite 400
Austin, Texas 78752
(w/o enclosures)

International Rehabilitation Associates, Inc.
Intracorp
1601 Chestnut Street - TL07P
Philadelphia, Pennsylvania 19192
(w/o enclosures)

Ms. Susan McDonough
International Rehabilitation Associates, Inc.
Intracorp
11095 Viking Drive
Eden Prairie, Minnesota 55344
(w/o enclosures)

Mr. Brian L. Fresher
Executive Counsel
Hartford Plaza
Hartford, Connecticut 06115
(w/o enclosures)

Ref: ID# 250331

c: Ms. Kathleen Gallagher
Regulatory Compliance Director
Zurich Services Corporation Health Care Network
1400 American Lane, Tower 2- 6th Floor
Schaumburg, Illinois 60196-1056
(w/o enclosures)

Ms. Paige Alvarado
Manager, Government Programs
SHA, LLC
1901 West Loop 289, Suite 9
Lubbock, Texas 79407
(w/o enclosures)