



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

March 29, 2010

Ms. Caroline E. Cho  
Assistant County Attorney  
Williamson County  
405 Martin Luther King, #7  
Georgetown, Texas 78626

OR2010-04352

Dear Ms. Cho:

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# 374491.

Williamson County (the "county") received a request for the address of a specified emergency medical service ("EMS") call. You claim that a portion of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Initially, we note that only the portion of the submitted document we have marked pertains to the address of the specified EMS call. Thus, only this portion of the submitted information is responsive to the present request. The remaining submitted information is not responsive to the request. The county need not release nonresponsive information in response to the request, and this ruling will not address that information.

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 exception encompasses information that other statutes make confidential. You state the information at issue consists of EMS records that are confidential under section 773.091 of the Health and Safety Code. Section 773.091 provides in relevant part as follows:

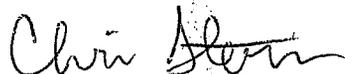
Records of the identity, evaluation, or treatment of a patient by emergency medical services personnel or by a physician providing medical supervision that are created by the emergency medical services personnel or physician or maintained by an emergency medical services provider are confidential and privileged and may not be disclosed except as provided by this chapter.

Health & Safety Code § 773.091(b). This confidentiality “does not extend to information regarding the presence, nature of injury or illness, age, sex, occupation, and city of residence of a patient who is receiving emergency medical services.” *Id.* § 773.091(g). Upon review, we agree that the information at issue constitutes EMS records that are subject to chapter 773 of the Health and Safety Code. Accordingly, the county must withhold the information at issue under section 552.101 of the Government Code in conjunction with section 773.091(b) of the Health and Safety Code, except for the patient’s city of residence, which is subject to section 773.091(g) and must be released.

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](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,



Christopher D. Sterner  
Assistant Attorney General  
Open Records Division

CDSA/eeg

Ref: ID# 374491

Enc. Submitted documents

c: Requestor  
(w/o enclosures)