ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 15, 2013

Ms. Loris Jones
Public Information Officer
Texas Board of Veterinary Medical Examiners
333 Guadalupe Street, Suite 3-810
Austin, Texas 78701-3942

OR2013-14259

Dear Ms. Jones:

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# 496479.

The Texas Board of Veterinary Medical Examiners (the "board") received a request for information pertaining to a specified complaint. You state you have released some information to the requestor. You claim 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.

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 made confidential by other statutes, such as section 801.207 of the Occupations Code. Section 801.207(b) provides, "[a]n investigation record of the board, including a record relating to a complaint that is found to be groundless, is confidential." Occ. Code § 801.207(b). You inform us under the board's procedures, an investigation file is opened upon receipt of a complaint against a veterinarian, and any matters related to that complaint and subsequent investigation become part of the investigation record. You state the submitted information is information that in the ordinary course of the board's business would be contained within an investigation file. Accordingly, based on your representations and our review, we conclude the information at

issue is confidential under section 801.207(b) of the Occupations Code and must be withheld under section 552.101 of the Government Code.

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

Kathleen J. Santos
Assistant Attorney General
Open Records Division

KJS/som

Ref: ID# 496479

Enc. Submitted documents

c: Requestor
(w/o enclosures)