



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 27, 2014

Mr. Nick Lealos
Office of Agency Counsel
Legal Section MC 110-1A
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR2014-03569

Dear Mr. Lealos:

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# 515180 (TDI# 145783).

The Texas Department of Insurance (the "department") received a request for a list of companies that have been approved to sell a specified type of insurance. Although you take no position as to whether the submitted information is excepted under the Act, you inform us the release of this information may implicate the property and proprietary interests of the Center for Medicare and Medicaid Studies ("CMS"). Accordingly, you state, and provide documentation demonstrating, that the department notified CMS of the request for information and of its right to submit arguments stating why its information should not be released. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released). We have reviewed the submitted information.

As of the date of this letter, we have not received any comments from CMS explaining why any portion of the submitted information should not be released to the requestor. As no exceptions to disclosure have been raised, the submitted information 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.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,



Tim Neal
Assistant Attorney General
Open Records Division

TN/dls

Ref: ID# 515180

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Ms. Myisha Patterson-Gatson
State Exchange Group
Office of Health Insurance Exchange
DHHS/CMS
c/o Mr. Nick Lealos
Texas Department of Insurance
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