



January 14, 2015

Ms. Thao La  
Senior Attorney  
Parkland Health & Hospital System  
5201 Harry Hines Boulevard  
Dallas, Texas 75235

OR2015-00746

Dear Ms. La:

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# 549927 (DCHD# 14-99).

The Dallas County Hospital District d/b/a Parkland Health & Hospital System (the "district") received a request for the unsuccessful applications by employees to keep certain information confidential under section 552.150 of the Government Code. You argue the submitted information is not "public information" subject to required disclosure under the Act. We have considered your argument and reviewed the submitted information.

The Act applies to "public information." See Gov't Code §§ 552.002, .021. Section 552.002(a) of the Government Code defines "public information" as:

information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:

(1) by a governmental body[.]

*Id.* § 552.002(a)(1). Thus, virtually all the information in a governmental body's physical possession constitutes public information and is subject to the Act. *Id.*; see Open Records Decision Nos. 549 at 4 (1990), 514 at 1-2 (1988). The submitted letters were sent to the district by current or former employees so the district could request a ruling under the Act. Requesting rulings from this office under the provisions of the Act is a part of the district's official business. Accordingly, we find the submitted information was written, produced, collected, assembled, or maintained by the district in connection with the transaction of official business. We conclude these records are "public information" as defined by the Act and must be released unless otherwise excepted from required disclosure.

Section 552.117 of the Government Code excepts from disclosure the home address and telephone number, emergency contact information, social security number, and family member information of current or former officials or employees of a governmental body who request this information be kept confidential under section 552.024 of the Government Code.<sup>1</sup> Gov't Code § 552.117(a). Whether a particular piece of information is protected by section 552.117 must be determined at the time the request for it is made. See Open Records Decision No. 530 at 5 (1989). Thus, information may be withheld under section 552.117(a)(1) only on behalf of a current or former employee who made a request for confidentiality under section 552.024 prior to the date of the governmental body's receipt of the request for the information. Information may not be withheld under section 552.117(a)(1) on behalf of a current or former employee who did not timely request under section 552.024 the information be kept confidential. If the individuals whose information we marked timely elected to keep that information confidential, the district must withhold that information under section 552.117(a)(1) of the Government Code and release the remaining information. If the individuals at issue did not timely elect to keep the information we marked confidential, the district may not withhold that information under section 552.117 of the Government Code and must release the submitted information in its entirety.

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.

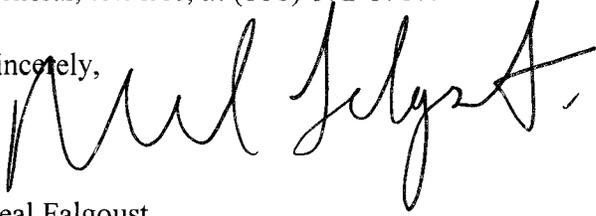
This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml), or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for

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<sup>1</sup>The Office of the Attorney General will raise a mandatory exception on behalf of a governmental body but ordinarily will not raise other exceptions. See Open Records Decision Nos. 481 (1987), 480 (1987), 470 (1987).

providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink, appearing to read "Neal Falgoust". The signature is written in a cursive style with a large, sweeping initial "N".

Neal Falgoust  
Assistant Attorney General  
Open Records Division

NF/bhf

Ref: ID# 549927

Enc. Submitted documents

c: Requestor  
(w/o enclosures)