



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 7, 2016

Ms. Lauren Studdard
Staff Attorney
Texas Board of Dental Examiners
333 Guadalupe, Tower 3, Suite 800
Austin, Texas 78701-3942

OR2016-07832

Dear Ms. Studdard:

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# 605065.

The Texas Board of Dental Examiners (the "board") received a request for all investigations associated with a named dentist. 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.

The board seeks to withhold investigation files and other records that it asserts are confidential under section 254.006 of the Occupations Code. We note this office issued Open Records Letter No. 2016-03778 (2016), a previous determination authorizing the board to withhold investigation files and other records under section 552.101 of the Government Code in conjunction with section 254.006 of the Occupations Code without requesting a decision from this office. *See* Gov't Code § 552.301(a); Open Records Decision No. 673 (2001) (listing elements of second type of previous determination under section 552.301(a) of the Government Code). Accordingly, the board must withhold the submitted information under section 552.101 of the Government Code in conjunction with section 254.006 of the Occupations Code pursuant to the previous determination issued in Open Records Letter No. 2016-03778.

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,

A handwritten signature in black ink, appearing to read 'J. Benke', with a long horizontal flourish extending to the right.

Joseph Benke
Assistant Attorney General
Open Records Division

JB/som

Ref: ID# 605065

Enc. Submitted documents

c: Requestor
(w/o enclosures)