



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

September 22, 2016

Ms. Lara M. Anton  
Public Information Officer  
State Board of Dental Examiners  
333 Guadalupe, Tower 3, Suite 800  
Austin, Texas 78701-3942

OR2016-21364

Dear Ms. Anton:

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# 627607.

The Texas Board of Dental Examiners (the "board") received a request for all inspections associated with a named dentist over a specified time period. You claim the requested information is excepted from disclosure under section 552.101 of the Government Code. We have considered the raised argument and reviewed the submitted representative sample of information.<sup>1</sup>

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, and you acknowledge, 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*

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<sup>1</sup>This letter ruling assumes the submitted representative sample of information is truly representative of the requested information as a whole. This ruling does not reach, and therefore does not authorize the withholding of, any other requested information to the extent that the other information is substantially different than that submitted to this office. *See Gov't Code* §§ 552.301(e)(1)(D), .302; Open Records Decision Nos. 499 at 6 (1988), 497 at 4 (1988).

§ 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](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,

Joseph Behnke  
Assistant Attorney General  
Open Records Division

JB/som

Ref: ID# 627607

Enc. Submitted documents

c: Requestor  
(w/o enclosures)