



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 5, 2017

Mr. Robert Spurck
Counsel for Gainesville Hospital District
Reed, Claymon, Meeker & Hargett PLLC
5608 Parkercrest Drive, Suite 200
Austin, Texas 78731

OR2017-14945

Dear Mr. Spurck:

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# 664693.

The Gainesville Hospital District d/b/a the North Texas Medical Center (the "hospital"), which you represent, received a request for a specified contract. You state release of the submitted information may implicate the proprietary interests of United Health Services, Inc. ("Universal Health"). Accordingly, you state, and provide documentation showing, the hospital notified Universal Health of the request for information and of the right to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have received comments on behalf of Universal Health. We have considered the submitted arguments and reviewed the submitted information.

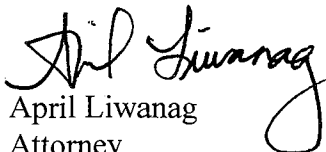
You state the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2017-10099 (2017). In Open Records Letter No. 2017-10099, we determined, in relevant part, the hospital may withhold the information at issue under section 552.104(a) of the Government Code. We have no indication there has been a change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the hospital may rely on Open Records Letter

No. 2017-10099 as a previous determination and withhold or release the identical information in accordance with that ruling.¹ See Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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,


April Liwanag
Attorney
Open Records Division

AML/eb

Ref: ID# 664693

Enc. Submitted documents

c: Requestor
(w/o enclosures)

2 Third Parties
(w/o enclosures)

¹As our ruling is dispositive, we need not address your remaining arguments against disclosure of this information.