



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 1, 2017

Ms. Jennifer Nguyen
Assistant General Counsel
Division of Workers' Compensation
Texas Department of Insurance
7551 Metro Center Drive, Suite 100
Austin, Texas 78744-1645

OR2017-27319

Dear Ms. Nguyen:

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# 687325 (TDI# 188379).

The Texas Department of Insurance ("TDI") received a request for a list of entities pertaining to a specified report. TDI claims the requested information is excepted from disclosure under section 552.101 of the Government Code. We have considered the claimed exception and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This section encompasses section 405.004(e) of the Labor Code, which reads as follows:


A working paper, including all documentary or other information, prepared or maintained by the [worker's compensation research and evaluation group (the "group")] in performing the group's duties under this chapter or other law to conduct an evaluation and prepare a report is excepted from the public disclosure requirements of Section 552.021, Government Code."

Labor Code § 405.004(e). TDI states the submitted information is a working paper prepared and maintained by the group to conduct an evaluation of workers' compensation claims and prepare the report at issue. TDI also states the group performed these duties under the statutory authority of chapter 405 of the Labor Code. Based on these representations, we agree TDI must withhold the submitted information under section 552.101 of the Government Code in conjunction with section 405.004(e) of the Labor Code.

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,



James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/som

Ref: ID# 687325

Enc. Submitted documents

c: Requestor
(w/o enclosures)