



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

December 11, 1995

Mr. Ron Allen
Executive Director
Texas State Board of Veterinary Medical Examiners
1946 South IH-35, Suite 306
Austin, Texas 78704-3644

OR95-1388

Dear Mr. Allen:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 22373.

The Texas State Board of Veterinary Medical Examiners (the "board") has received a request for "copies of all inspection reports written by investigators of the board relating to" specific veterinary facilities. You contend that the requested records are excepted from disclosure under section 552.101 of the Government Code in conjunction with section 9(d) of the Veterinary Licensing Act, article 8890, V.T.C.S. You state that the board "considers the inspection reports written by its investigators as part of its investigation files and records."

Section 552.101 of the Government Code excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Section 9(d) of article 8890, V.T.C.S., states:

The investigation files and records of the Board, including files and records relating to complaints found to be groundless, are confidential.

You explain that the requested inspection reports are created when an investigator does a compliance inspection on a licensee. We agree that these inspection reports are confidential by law. Therefore, you must withhold the requested records pursuant to section 9(d) of article 8890, V.T.C.S., and section 552.101 of the Government Code.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink that reads "Todd Reese". The signature is written in a cursive style with a long horizontal line extending to the right.

Todd Reese
Assistant Attorney General
Open Government Section

RT/ch

Ref.: ID# 22373

Enclosures: Submitted documents

cc: Mr. James R. Weedon, D.V.M., M.P.H.
Secretary, MRSW, Inc.
11000 S. Wilcrest, Suite 150
Houston, Texas 77099
(w/o enclosures)