KENT S. RICHARDSON
ASSISTANT ATTORNEY GENERAL

(512) 922-6124
KENT.RICHARDSON@OAG.TEXAS.GOV

Criminal Prosecutions Division
OFFICE: (512) 463-3038
FAX: (512) 397-1642

June 1, 2026

Kyle Moring

Mount Vernon, Texas 75457

Re: PIA Complaint Against Department of State Health Services (preliminary)

The Texas Office of the Attorney General (OAG) is in receipt of a complaint filed by you against the Department of State Health Services (DSHS) for alleged violation(s) of the Public Information Act (PIA). As required by Government Code Section 552.3215, this office must determine whether the alleged violation(s) were committed, determine whether action will be brought under the PIA, and notify the complainant in writing of our determinations. In addition, should this office elect to not bring an action pursuant to Section 552.3215 of the PIA, we are required to provide a statement giving you the basis for such a determination and return the complaint.

Background

Based on the information you provided, it appears that the following timeline outlines the relevant events concerning your request:

10/29/25	Request made to DSHS for information concerning a Walmart inspection and related communications. A10312025.0450015.
12/15/25	Partial release of records made for A10312025.0450015.
12/30/26	Request made to DSHS for Hyland/OnBase records related to specific complaints. A01022026.0450018.
1/9/26	DSHS responds for A01022026.0450018 that no records were found.
1/30/26	DSHS completes release of records with mailing of CD for A10312025.0450015.
4/1/26	Complaint made to Travis County District Attorney (TCDA).

5/1/26 TCDA issues determination finding no violation and taking no action.[1]

Analysis

You complain that for A10312025.0450015, all responsive records have not been released. DSHS has confirmed that all responsive records have been released after a preliminary broad search resulted in a large number of records, many of which were duplicates.[2] Therefore, no violation is found on this complaint. You also complaint that for A01022026.0450018, there is evidence from other records that responsive records exist despite DSHS' response to the contrary.[3] This complaint remains pending and no violation for this complaint is found at this time.

The OAG has limited civil enforcement jurisdiction to address violations of the PIA. That jurisdiction is provided in sections §552.321 and §552.3215. These provisions allow for the OAG to seek judicial compliance with the PIA in civil court to compel the release of public information (§552.321 – mandamus; §552.3215 – declaratory judgment and injunctive relief). These remedies serve to provide the OAG with a means of ensuring that requestors are provided public information when appropriate under the PIA and that other ministerial duties imposed by the PIA are observed. Because no violation has been found regarding your complaint, no action will be taken at this time. Resolution of part of this complaint remains pending as indicated above with final determination to be issued at a later date.

This determination is subject to revision upon receipt of new, relevant, and persuasive information.

Respectfully,

/s/Kent S. Richardson
Deputy Division Chief
Criminal Prosecutions Division

enc. Complaint

[1] TCDA found that the discrepancy in the cost estimate had been remedied, and all records had been released after an exhaustive search.

[2] The OAG will accept all statements from the public information officer of the governmental body as true unless evidence clearly indicates a contrary conclusion.

[3] This part of the complaint remains pending and will be updated when resolved.