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## Texas Board of Nursing

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1801 Congress Avenue, Ste. 10-200, Austin, Texas 78701  
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.texas.gov  
**Katherine A. Thomas, MN, RN, FAAN**  
*Executive Director*

September 13, 2022

ATTN: Open Records Division  
The Honorable Ken Paxton  
Attorney General of Texas  
P.O. Box 12548  
Austin, Texas 78711-2548

RE: Request for communications with TBON that contains key words "gender reassignment surgeries," child sex change,' and/or "gender affirming surgeries; complaints filed against nurses regarding sex change surgeries on children and adults for period of 2019 to June 23, 2022; BON Ref. No. 23-7

Dear Attorney General Paxton:

On October 3, 2022, the Texas Board of Nursing (Board) received the above referenced open records request from Robert Montoya. A copy of the request is enclosed. In compliance with the Government Code §552.301, the Board is now sending this request for decision within ten business days from its receipt. The Board has notified the requestor as to the handling of the request and has provided the requestor with a copy of this request for decision, in accordance with the Government Code §552.301(d).

The Board is still reviewing responsive documents in anticipation that certain exceptions to disclosure will apply. Accordingly, the Board reserves all the listed exceptions in the Public Information Act and those captured by "other law" in the Government Code §552.101. This 10-day request for decision should be interpreted to include all the exceptions contained in the Government Code Chapter 552, beginning with §552.101, through and including, §552.148. The Board does not waive any exception it may determine is applicable after further review of the documents at issue. Further, the Board has not yet determined if any third party interests are implicated by this request. Therefore, to the extent that the Board finds third party interests are at issue, the Board will notify the affected third parties and provide copies of such notice to your office.

The Board's detailed brief and responsive documents will be submitted to your office by the statutory deadline. With this request for decision, the Board is notifying the Office of the Attorney General that the Board will seek to withhold responsive documents pending review by your office.

If you need additional information, please do not hesitate to contact me at 512-305-7651.

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**Kathleen Shipp, MSN, APRN, FNP**  
Lubbock, *President*

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**Allison Porter-Edwards, DrPH, MS, RN, CNE**  
Bellaire, *Vice-President*

Sincerely,

A handwritten signature in cursive script that reads "Brian L. Miller".

Brian L. Miller  
Assistant General Counsel

cc: Robert Montoya  
rmontoya@texasscorecard.com