



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

February 24, 2011

Ms. Patricia M. Brown
Assistant General Counsel
Illinois Department of Human Services
100 West Randolph Street
Suite 6-400
Chicago, Illinois 60601
Patricia.M.Brown@illinois.gov

RE: FOIA Request for Review 2011 PAC 12418

Dear Ms. Brown:

We have received and reviewed the written notice from the Illinois Department of Human Services of its intent to withhold a record requested by [REDACTED] as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] had requested records showing why fetal alcohol syndrome is listed in section 500.20 C.2 of the Department's Pre-Admission Screening Manual as a condition that is not related to mental retardation.

The Department asserts that a responsive document is exempt under Section 7(1)(f) of FOIA (5 ILCS 140/7(1)(f)), which exempts from disclosure "[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies and actions are formulated." In that document, the Department commented on a bill that would urge it and other State agencies to complete an assessment of existing State and federal assistance programs regarding fetal alcohol spectral disorders.

After carefully reviewing the document in question, we agree with the Department that it is exempt from disclosure under Section 7(1)(f) because it is a record in which opinions are expressed and policies and actions are formulated. Accordingly, the request to assert an exemption under Section 7(1)(f) is approved.

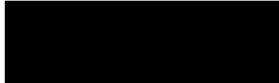
If you have any questions, please feel free to contact me at 312-814-2770. This correspondence will serve to close the matter.

Sincerely,



John Schmidt
Assistant Public Access Counselor

cc:



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