

**SUPPLEMENTAL TRADE SECRET STATUS AFFIDAVIT
STATE OF GEORGIA
REQUEST FOR PROPOSAL, REQUEST FOR QUOTE, or REQUEST FOR
QUALIFIED CONTRACTOR
eRFP (Event) No. 41900-DCH0000136 Pharmacy Benefit Services**

1. Legal Authority

All documents, data, letters and generated information received by the State constitutes a “public record” and is subject to disclosure under the Georgia Open Records Act (“GORA”), O.C.G.A. § 50-18-70 *et seq.* However, pursuant to O.C.G.A. § 50-18-72(a)(34), “[an] entity submitting records containing trade secrets that wishes to keep such records confidential under this paragraph shall submit and attach to the records an affidavit affirmatively declaring that specific information in the records constitute trade secrets pursuant to Article 27 of Chapter 1 of Title 10 [O.C.G.A. § 10-1-760 *et seq.*].”

O.C.G.A. § 10-1-761(4) defines “Trade secret” as “...information, without regard to form, including, but not limited to, technical or nontechnical data, a formula, a pattern, a compilation, a program, a device, a method, a technique, a drawing, a process, financial data, financial plans, product plans, or a list of actual or potential customers or suppliers which is not commonly known by or available to the public and which information:

- A. Derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and
- B. Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.”

Therefore, the records identified below and attached hereto, that were submitted with NorthStar HealthCare Consulting’s response to the State of Georgia Department of Administrative Services (“DOAS”), State Purchasing Division, on behalf of the Department of Community Health (“DCH”), and in conjunction with National Association of State Procurement Officials (“NASPO”) ValuePoint eRFP No. 41900-DCH0000136 (the “RFP”), constitute “trade secret” information over which NorthStar Healthcare Consulting (“NHC”) asserts the protections afforded under O.C.G.A. § 10-1-760 *et seq.*, as trade secret information which does not constitute public records subject to public disclosure under GORA.

2. Overview of Trade Secrets Documents

Specifically, NHC has marked certain documents submitted with its bid as confidential pursuant to O.C.G.A. § 50-18-72(a)(34) and consistent with the definition in the state of Georgia found at O.C.G.A. § 10-1-761(4), including the following four Attachments:

- Attachment U: Pharmacy Clinical Management Services Mandatory Scored Response Worksheet
- Attachment W: Pharmacy FWA Audit Services Mandatory Scored Response Worksheet
- Attachment CC: Supplier Client References Form
- NorthStar Healthcare Consulting LLC Balance Sheets (2021-2023)

Attachment W: NHC asserts trade secret protection consistent with O.C.G.A. § 10-1-761(4) for specific information in Attachment W due to its significant economic value, which arises from its exclusivity and use in internal decision-making. This information is neither publicly accessible nor easily obtainable by competitors or individuals who might profit from its disclosure. NHC dedicates substantial resources to safeguarding this information. Specifically, NHC is asserting trade secret protection from the public disclosure of the following information:

- **Discrepancy Codes** [Pages 43 and 45]: NHC asserts trade secret protection over discrepancy codes within Attachment W. These pages contain proprietary internal discrepancy codes used to classify and track errors or complaints in NHC's fraud, waste, and abuse ("FWA") audit services. These codes represent confidential internal classifications developed through years of experience and are not disclosed to clients or the public, in the aggregate. These codes form part of an internal system for analyzing, resolving, and auditing complaints or issues related to NHC's prescription medication services. They inform operational decisions and function analogously to a proprietary formula.

NHC has spent years developing and refining this system to support internal decision-making, increase audit efficiency, and enhance the quality of its FWA services. The aggregation and structure of the codes operate as a proprietary analytic framework—akin to an internal secret formula—through which NHC standardizes its error-flagging processes and applies operational controls. Disclosure of this framework would allow competitors to gain insight into the methodology or formula NHC uses to deliver compliance solutions, eroding a core element of its competitive advantage.

- **Pharmacy Scorecard** [Page 46]: NHC also claims trade secret protection for the Pharmacy Scorecard. The outputs from this internal scorecard reflect NHC's proprietary method for evaluating pharmacy performance and revenue-impacting error rates. This scorecard reflects NHC's internal evaluation framework and a large-scale risk methodology concerning third-party pharmacy providers. It aids in tracking pharmacy performance and identifying risk factors to weigh in periodic performance reviews which factor heavily into NHC's decision-making process. It is not publicly disclosed and incorporates confidential evaluation thresholds, business logic, and scoring criteria that factor into critical partner and risk management decisions. Competitor access to this evaluative framework would undermine NHC's ability to leverage unique business insights and maintain competitive advantage in pharmacy oversight and compliance support.

Attachment U, Drug Monograph Samples [Pages 15–28 and 30–54]: NHC asserts trade secret protections under O.G.C.A. § 10-1-761(4) over specific information contained in Attachment U, which holds significant actual or potential economic value because it is not generally known to the public or NHC’s competitors, nor is it readily ascertainable by proper means by individuals who could benefit economically from its disclosure or use. NHC invests substantial effort in maintaining the secrecy of this information, which is also protected as confidential information by federal regulation.

Specifically, these clinical drug monographs represent the culmination of NHC’s proprietary clinical analysis, evaluative structure, and product-specific assessments—developed internally through years of experience, iterative testing, and refinement. The manner in which NHC compiles, interprets, and applies that data reflects unique professional judgment and analytical prioritization specific to NHC’s business model and service approach. Importantly, NHC’s analytic structure, internal evaluation criteria, and business-use recommendations are not publicly disclosed and are the product of sustained intellectual investment. Public disclosure of these materials allows competitors to gain direct access to proprietary content that gives NHC a strategic advantage in the healthcare compliance and clinical evaluation market. Such disclosure would misappropriate core components of NHC’s intellectual capital and materially impair the competitive value of NHC’s service offerings.

Attachment CC – Supplier Client References Form: The client list (i.e. customers identified on the “Supplier Client References Form”) in Attachment CC is expressly recognized as trade secret material under O.G.C.A. § 10-1-761(4) because it is “a list of actual or potential customers or suppliers which is not commonly known by or available to the public. . .”. The client reference list includes sensitive engagements, including those involving internal, state, and federal investigations. Disclosure would reveal confidential business relationships, compromise investigatory confidentiality, and cause reputational and competitive harm to both NHC and its clients. NHC treats this information as confidential, and its disclosure could also interfere with ongoing enforcement proceedings. Access to this information would provide our competitors insight into any special relationships we have developed with entities we serve as subject matter experts on fraud, waste, and abuse.

Financial Statements (2021-2023): NHC’s balance sheets for years 2021-2023 are expressly recognized as trade secrets under O.G.C.A. § 10-1-761(4) because they constitute “financial data” reflecting the years-long “financial plans” of the company. These materials include sensitive non-public information about NHC’s revenue, expenditures, capital allocation, liabilities, and liquidity. Disclosure would reveal NHC’s financial structure, operational risk tolerance, and strategic investment priorities—insights that could be exploited by competitors in pricing, proposal development, or market positioning. The data is not available from public filings and is treated as confidential through both policy and practice.

3. Affidavit

Under penalty of perjury, acknowledging that O.C.G.A. §16-10-71 provides a penalty of a fine of up to \$1,000 and potential imprisonment of one to five years, I attest that the specific information that has been redacted from the following documents constitute confidential trade secret information which is not subject to public inspection under O.C.G.A § 10-1-761(4), including:

- Attachment W, pages 43, 45-46;
- Attachment U, pages 15-28 and 30-54
- Attachment CC; and
- Financial Statements (2021-2023).

I aver that each redaction is supported by the legally recognized and economically justified claims of trade secret protection, as articulated more fully in this affidavit and in the accompanying correspondence. Accordingly, NHC requests that the State of Georgia not disclose this protected information under the Georgia Open Records Act.

Signature



MATT REED

[Signatory Name in Print]

OPERATIONS MANAGER

[Signatory's Title]

NORTH STAR HEALTHCARE CONSULTING

[Company Name]

Date: 5/5/2025

SUBSCRIBED AND SWORN BEFORE
ME ON THIS 5th DAY OF

May, 2025

Kajal Savaliya

NOTARY PUBLIC
My Commission Expires: 11/13/2027

