



Dental care vendor loses trade secrets case



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The winning vendor of a deal to provide dental benefits for the state children's health insurance program has lost a court fight over what it claims are trade secrets.

Circuit Judge **Karen Gievers** of Tallahassee last week [ruled](#) against Managed Care of North America ([MCNA Dental](#)). She ordered the company to divulge certain records to [Delta Dental](#).

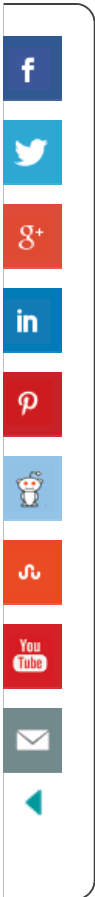
MCNA now must give up the names and locations of the dentists it contracts with.

It's the latest trade-secrets case in the news recently. Visit Florida claimed its secret promotional deal with rapper **Pitbull** also was a trade secret. House Speaker **Richard Corcoran** then sued to get the contract disclosed, but Pitbull himself released the contract online, revealing he was eligible to be paid up to \$1 million to promote Florida tourism.

Delta was one of four companies to bid on providing kids' dental services, and the only one to lose. It filed a public records request with [Florida Healthy Kids Corp.](#), which manages the contract. MCNA learned of the request and objected.

Half of its score was based on its provider network – essentially the depth of its bench – and MCNA said disclosing that info would divulge “trade secrets.” But the info is publicly available, in bits and pieces through specific searches, on its website.

Delta said it wanted “access to MCNA’s network data in the exact format that it was submitted to (Healthy Kids)” to independently verify its bid.



“If the information was not accurately presented or formatted, a small variation in office address, county or office hours can result in duplicate counting of providers,” its filing said.

MCNA moved to block the release of records. “Delta is a corporate competitor only interested in raiding MCNA for its statutorily protected trade secrets,” the company said in another filing.

Gievers called MCNA’s trade-secret claims “non-credible and border on the frivolous.”

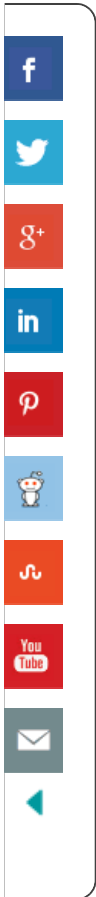
“The purpose of having a network of providers is so that people will know who the providers are for them to see ... (it’s) information that will be made available to the public,” she wrote.

A request to MCNA for comment on the ruling is pending.

Thomas Crapps, a former administrative law judge and past law partner to Florida legal legend **Dexter Douglass**, represents Delta Dental.

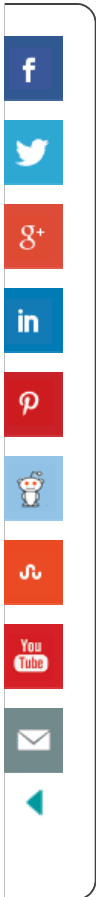
Ken Bell, a former Florida Supreme Court justice who’s now a partner in the Gunster law firm, represents MCNA. Its general counsel is **Carlos Lacasa**, a former Florida House appropriations chair (2000-02) and past chair of state-run Citizens Property Insurance.

And former Texas governor and Energy Secretary-designate **Rick Perry** is on MCNA’s board of directors. He lobbied Gov. **Rick Scott** on [dental](#)



[care issues](#) earlier this year on behalf of the company.

Gievers' order is [here](#).



Jim Rosica

Jim Rosica covers state government from Tallahassee for Florida Politics. He previously was the Tampa Tribune's statehouse reporter. Before that, he covered three legislative sessions in Florida for The Associated Press. Jim graduated from law school in 2009 after spending nearly a decade covering courts for the Tallahassee Democrat, including reporting on the 2000 presidential recount. He can be reached at jim@floridapolitics.com.