Experience

Healthcare Incentives Shielded from Disclosure

Stradley Ronon successfully represented before the Pennsylvania Office of Open Records several health insurance plans seeking to protect their competitive information from public disclosure. The Office of Open Records agreed with the plans' arguments that the details of their health and wellness incentives programs are exempt from disclosure under the Pennsylvania Right-to-Know Law. Under these programs, the health plans offer rewards when members make healthy lifestyle choices. The requester, a member of the news media, sought non-public and internal plan information about these programs with respect to individuals enrolled in the Pennsylvania HealthChoices program, which is administered by the Department of Human Services. The Office of Open Records ruled that the information is exempt under the law, basing the ruling on the plans' arguments and evidence, which demonstrated that the details of the rewards programs are kept confidential and are a matter of competition between the plans.

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