
No. 95-4126EM

Deaconess Health Services
Corporation, doing business
as Deaconess Medical Center
Central Campus, *

Appellee,

v.

Donna E. Shalala, Secretary of
Health and Human Services,

Appellant.

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Appeal from the United States
District Court for the Eastern
District of Missouri.

[PUBLISHED]

Submitted: May 16, 1996

Filed: May 22, 1996

Before McMILLIAN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Donna E. Shalala, Secretary of Health and Human Services, appeals the adverse grant of summary judgment by the district court in favor of Deaconess Health Services Corporation. Deaconess Health Servs. Corp. v. Shalala, 912 F. Supp. 438 (E.D. Mo. 1995). Having carefully reviewed the record and the parties' briefs, we conclude summary judgment was properly granted. Our decision is guided by the Sixth Circuit's recent decision in Jewish Hosp., Inc. v. Secretary of Health & Human Servs., 19 F.3d 270 (6th Cir. 1994). We thus affirm on the basis of the district court's thorough, well-reasoned opinion. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.